

CITY OF BLOOMINGTON



August 24, 2023 @ 5:30 p.m.
City Hall, 401 N. Morton Street
Common Council Chamber, Room #115

<https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVdlnWGROTU43dEpXdz09>

Meeting ID: 824 4898 3657
Passcode: 319455

**CITY OF BLOOMINGTON
BOARD OF ZONING APPEALS (Hybrid Meeting)**

City Hall, 401 N. Morton Street
Common Council Chambers, Room #115 and via Zoom

August 24, 2023 at 5:30 p.m.

❖ **Virtual Meeting:**

<https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVdInWGROTU43dEpXdz09>

Meeting ID: 824 4898 3657

Passcode: 319455

Petition Map: <https://arcg.is/j9f4C>

ROLL CALL

APPROVAL OF MINUTES: May 25, 2023

PETITIONS CONTINUED TO: September 21, 2023

AA-17-22 **Joe Kemp Construction, LLC & Blackwell Construction, Inc.**
Summit Woods (Sudbury Farm Parcel O) W. Ezekiel Dr.
Parcel(s): 53-08-07-400-008.002-009, 53-08-07-400-008.004-009...
Request: Administrative Appeal of the Notice of Violation (NOV) issued
March 25, 2022. *Case Manager: Jackie Scanlan*

PETITIONS:

V-18-23 **IU Health**
727 W. 2nd Street
Parcel: 53-08-05-100-060.000-009
Request: Variance from parking standards to allow parking in the front parking setback and to allow back-out parking on an alley in the Mixed-Use Institutional (MI) zoning district. Also requested in a variance from required sidewalk and tree plot width. *Case Manager: Eric Greulich*

V-19-23 **Caritas Indiana, LLC**
1420 W. Kirkwood Avenue
Parcel: 53-05-32-307-106.000-005
Request: Variance from architecture standards to allow the construction of an 8 unit multifamily building in the Residential High Density Multifamily (RH) zoning district. *Case Manager: Eric Greulich*

****Next Meeting: September 21, 2023**

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact Melissa Hirtzel at hirtzelm@bloomington.in.gov and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

- CU/V-20-23 **Daniel Weddle**
917 N. Fairview Street
Parcel: 53-05-32-104-005.000-005
Request: Conditional Use approval for expansion of an existing dwelling duplex.
Also requested is a variance from use-specific standards.
Case Manager: Jackie Scanlan
- V-21-23 **Community Kitchen of Monroe County**
1100 W. 11th Street
Parcel: 53-05-32-207-050.000-005
Request: Variances from three (3) site development standards: Drive access off
of higher classified street, parking setback from building face, and parking
increase. Case Manager: Jackie Scanlan
- V-22-23 **True Storage, LLC**
1701 S. Liberty Drive
Parcel: 53-09-12-101-013.000-016
Request: Variance from location and separation of drives standard in the Mixed-
Use Medium Scale (MM) zoning district.
Case Manager: Karina Pazos
- V-24-23 **David Hays (Tabor Bruce Architects)**
300 W. 6th Street
Parcel: 53-05-33-310-263.000-005
Request: Variance from use specific standards to allow ground floor dwelling
units within 20' of the first floor façade within the Mixed-Use Downtown in the
Downtown Core Overlay (MD-DCO).
Case Manager: Eric Greulich

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call [812-349-3429](tel:812-349-3429) or
E-mail human.rigts@bloomington.in.gov.*

****Next Meeting: September 21, 2023**

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BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 727 W. 2nd Street

CASE #: V-18-23
DATE: August 24, 2023

PETITIONER: IU Health
950 N. Meridian Street #1100, Indianapolis, IN

CONSULTANTS: Bynum Fanyo and Associates, Inc.
528 N. Walnut Street, Bloomington, IN

REQUEST: Variance from parking standards to allow parking in the front parking setback and to allow back-out parking on an alley in the Mixed-Use Institutional (MI) zoning district. Also requested is a variance from required sidewalk and tree plot width.

REPORT: The property is located at 727 W. 2nd Street and is zoned Mixed-Use Institutional (MI) and is within the Transform Redevelopment Overlay (TRO) district. Surrounding zoning includes Residential Urban (R4) to the north, Mixed-Use Neighborhood Scale (MN) and Residential Small Lot (R3) to the west, Mixed-Use Medium Scale (MM) and Mixed-Use Institutional (MI) to the east, and Residential Urban (R4) to the south. The surrounding properties have been developed with a mix of single and multi-family residences to the north and south, and offices to the west and east. There are no known regulated environmental features on the site and it has several trees along the property border with no known sensitive environmental features.

The site has been developed with a 40,000 square foot building that is rated as a “Notable” structure in the Bloomington Historic Sites and Structures Survey. The building is currently being utilized by IU Health for offices and will continue to be used in that capacity. No changes to the building are proposed. The property has frontage on 2nd Street to the north and 1st Street to the south and there is a 12’ platted alley that runs along the east side of the property connecting to 2nd Street and 1st Street.

There is a large surface parking area on the rear of the property that is between the building and 1st Street that the petitioner is proposing to remove and expand in order to construct a new parking area with 162 parking spaces. The parking area is currently accessed from the alley on the east side of the property and from 1st Street to the south. The construction and expansion of the parking area requires the site to come into compliance with the Limited Compliance standards of Section 20.06.090(f)(2)(B) which includes new landscaping throughout the property, bike racks, and pedestrian facilities on both frontages with street trees. A sidewalk connection from 1st Street to the building will be required to provide pedestrian access.

The UDO requires that parking must be set back 20’ behind the front building wall. Since the property is a through lot with frontage on two streets and the only building on the property is along 2nd Street, the petitioner is requesting a variance from the front yard parking setbacks to allow the parking area to be located between the building and 1st Street. The petitioner is also requesting a variance from Section 20.04.060(i)(5)(C) to allow 7 parking spaces to directly access the north/south alley on the east side of the property. Since the property is more than 20,000 square feet, they do not qualify for the back-out parking waiver are not allowed parking directly off of the alley. The

petitioner is also requesting a variance from the required width of a pedestrian facility and tree plot along 2nd Street to allow a 5' wide sidewalk and 5' tree plot instead of the required 10' sidewalk and 8' tree plot.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(E) Standards for Granting Variances from Development Standards:

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PARKING SETBACK PROPOSED FINDING: The granting of the variance to allow parking between the building and 1st Street will not be injurious to the public health, safety, morals, or general welfare of the community as the building and parking area currently exist in this configuration with no known adverse impacts. A sidewalk connection from 1st Street to the building will be required to provide pedestrian access to the building from 1st Street to offset the presence of the parking area between the building and 1st Street that limits pedestrian access.

BACK OUT ALLEY PARKING PROPOSED FINDING: The granting of the variance to allow back-out parking directly off of the alley would be injurious to the public health, safety, morals, and general welfare of the community as the intent with this standard is to require properties larger than 20,000 square feet to accommodate parking within the site since they are larger and able to install a typical parking area within the property. In addition, as part of the redevelopment of the former Hospital site it is anticipated that this alley will play a larger role in access to adjacent lots and the presence of parking directly off of the alley could cause conflicts with anticipated increased traffic moving through this area. The regulations within the TRO district require all access to come from alleys, therefore increasing the need to limit possible conflicts with turning movements and parking off of alleys in this area.

SIDEWALK AND TREE PLOT WIDTH PROPOSED FINDING: The granting of the variance to not require the sidewalk width and tree plot width outlined in the Transportation Plan and TRO would be injurious as this would conflict with the rest of the improvements that the City is proposing along this corridor. As part of the improvements along the 2nd Street corridor for the redevelopment of the former Hospital site, the City will be widening the street, improving the tree plot, and installing a new continuous sidewalk system along the entire 2nd Street corridor. The Department will work with the petitioner on coordinating and installing the required improvements along this frontage, however not requiring full compliance with the anticipated improvements would be injurious to the public health, safety, morals, and general welfare.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

PARKING SETBACK PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the request to have parking between the building and 1st Street are found. The property currently exists in this situation with no known adverse impacts on the use and value of adjacent properties. No additional burdens are placed on the surrounding uses with the proposed design.

BACK OUT ALLEY PARKING PROPOSED FINDING: The Department does find adverse impacts on the use and value of adjacent properties by allowing parking to directly access the alley as it will increase turning movements along the alley into the parking spaces and possibly conflict with access to adjacent properties as the area redevelops. The site is large enough to provide parking internal to the site in a manner consistent with the UDO standards.

SIDEWALK AND TREE PLOT WIDTH PROPOSED FINDING: The Department does find adverse impacts on the use and value of adjacent properties by not requiring a sidewalk and tree plot width that are consistent with the City's planned improvements as this would reduce the area available for pedestrians and space for street trees. The City is investing substantially along this corridor for these improvements to increase the use and value of this entire area.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

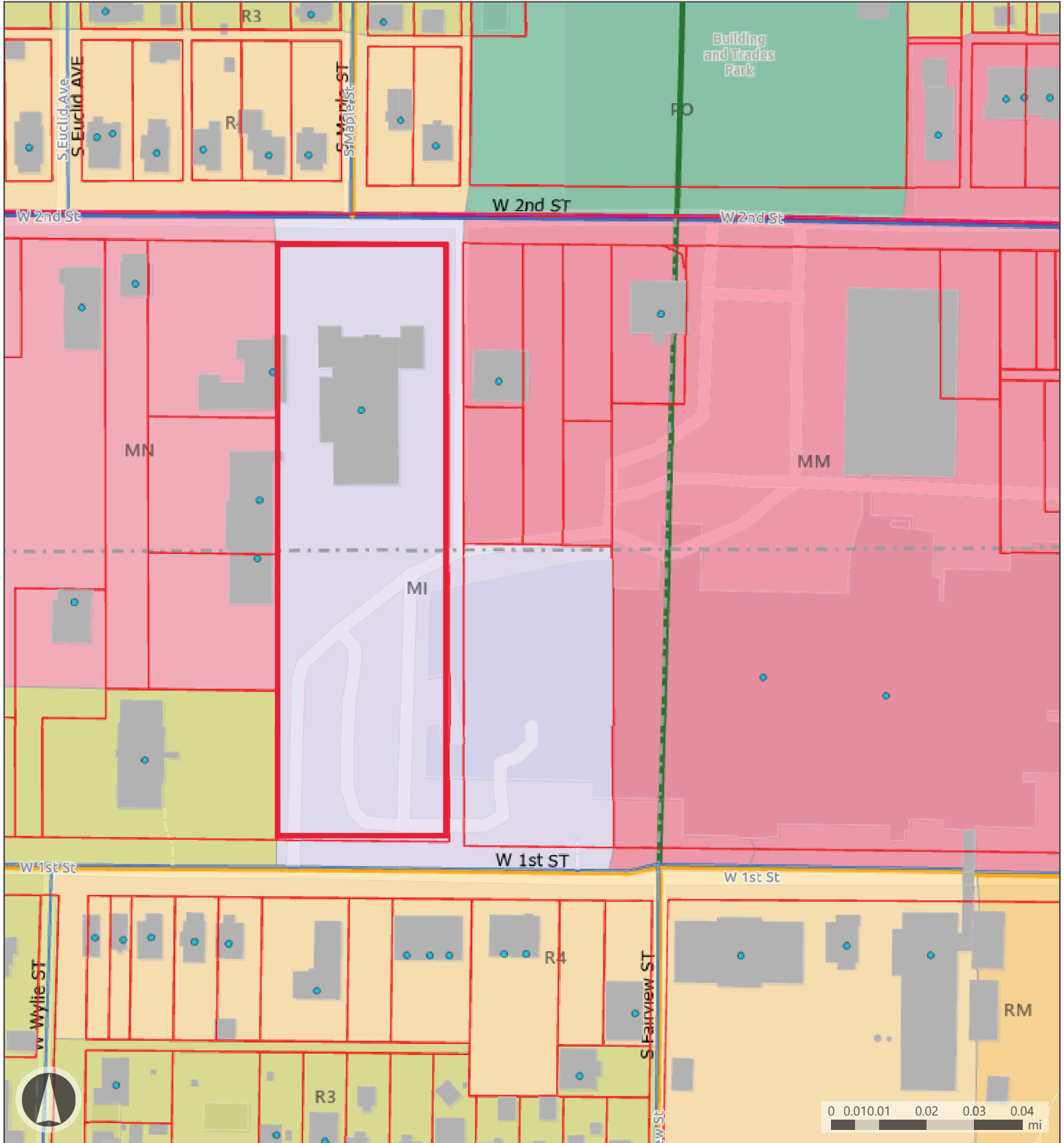
PARKING SETBACK PROPOSED FINDING: The Department does find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property in that it would not allow any parking to be installed on the site without constructing a new building along 1st Street. The practical difficulties are peculiar to the property in question as this lot has frontage on two streets and has been developed with a historic building that only fronts on 2nd Street, which has been the historic pattern in this neighborhood. The granting of the variance will relieve the practical difficulties by allowing the existing parking area to be redeveloped in the same location and meet all of the current standards of the UDO including landscape islands and landscaping throughout the site.

BACK OUT ALLEY PARKING PROPOSED FINDING: The Department does not find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property since there is a large parking area proposed within the site that meets all of the UDO requirements. There do not appear to be any practical difficulties that are peculiar to the property that require the proposed parking spaces to directly access the alley rather than internally to the site as required.

SIDEWALK AND TREE PLOT WIDTH PROPOSED FINDING: The Department does not find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property by installing the required 10' sidewalk and 8' tree plot. There is substantial space along the front of this property to install the required width for the sidewalk and tree plot. There do not appear to be any practical difficulties that are peculiar to the property that prevent the petitioner from installing the pedestrian improvements and tree plot as required and consistent with the improvements that the City is making along this entire corridor. Although there is a retaining wall along this frontage, it is not part of the historic character of the property and moving the wall to accommodate the required pedestrian facilities would therefore not impact the historic features of the site.

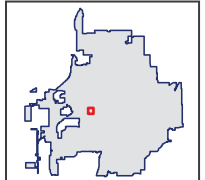
RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve the variance to allow parking within the front parking setback and deny the variances for back out alley parking and reduced sidewalk and tree plot width with the following conditions:

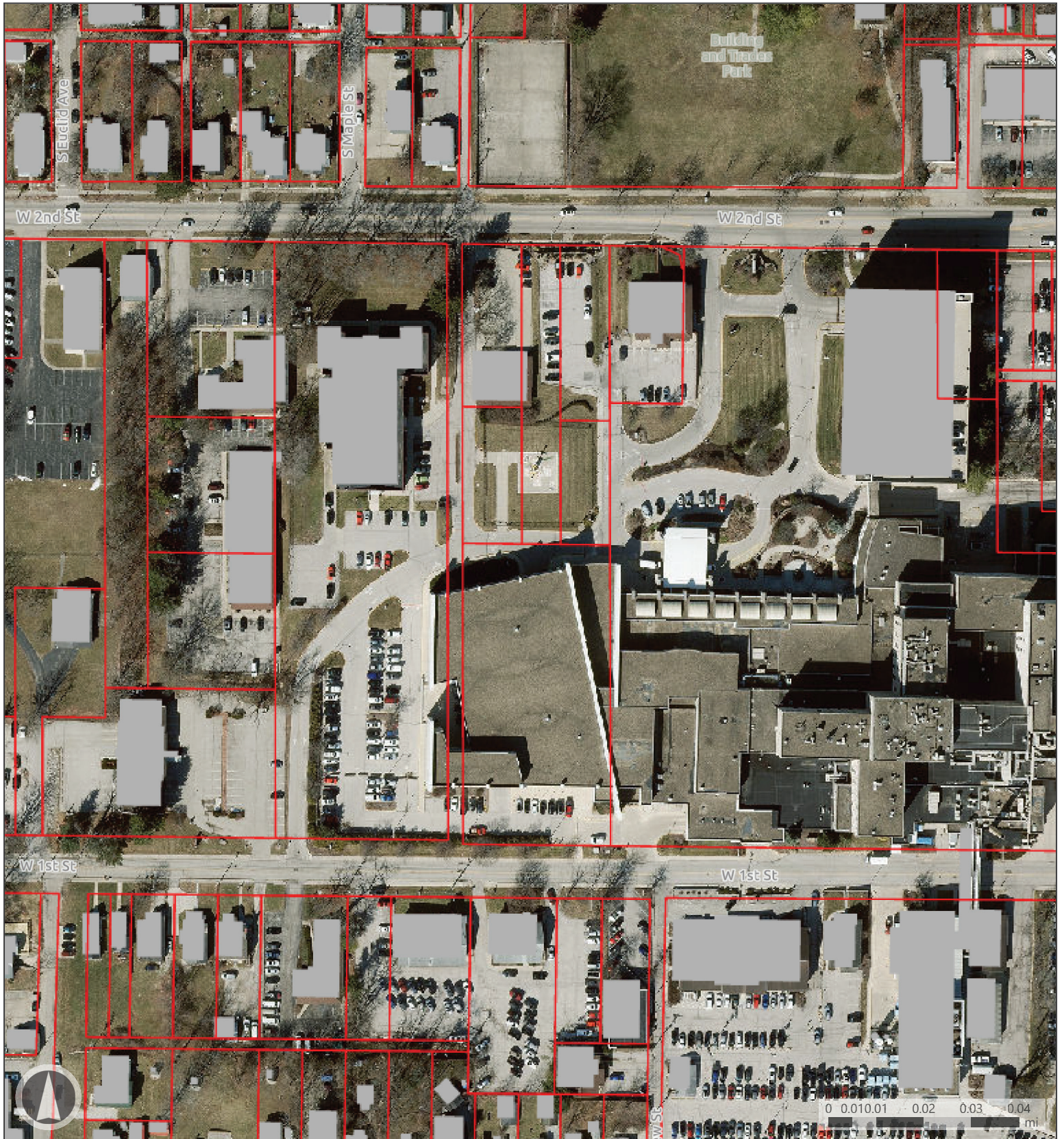
1. A sidewalk connection from 1st Street to the building is required.
2. The petitioner shall work with the City Engineering department to either dedicate the appropriate right-of-way to be improved with the City project or install improvements along the 2nd Street frontage consistent with the City's improvements.



Map Legend

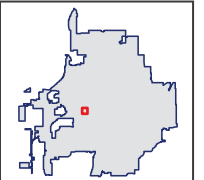
- | | | |
|----------------|--------------------------|----------------------------------|
| Parcels | Street Typology | Functional Classification |
| Address Points | General Urban | Primary Arterial |
| Buildings | Neighborhood Residential | Primary Collector |





Map Legend

-  Parcels
-  Buildings





BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

May 22, 2023

Eric Greulich
City of Bloomington Planning Department
401 N. Morton Street
Bloomington, Indiana 47404

RE: Hunter School Property site – 727 W 2nd Street, Bloomington, IN 47401
Limited compliance and site variances request Petitioner’s Statement

Eric Greulich or To Whom It May Concern:

Our client, IU Health, respectfully requests limited compliance plan approval for the referenced project and to be placed on the next BZA agenda for three (3) variances as noted below.

Project Narrative:

The proposed development is the old MCCSC Hunter School building consisting of keeping with existing use of ‘medical clinic’ in this existing brick building. The existing building includes 40,060 sq. ft. of usable gross floor area.

The site is 2.90 acres and is located in the MI zoning district at the southern side of the Downtown Gateway Overlay District. Our proposed design includes 153 paved parking spaces with 7 ‘ADA’ parking paved parking spaces for a total of 160. The proposed site impervious area is 59.3% (1.72 acres). The proposed site plan also will include 10 class I bicycle parking spots.

Site Plan Variances Request:

1. Front Yard Parking Setback – The proposed parking field is at the rear of the existing Hunter School building. This violates the UDO front yard setback. However, this lot has a couple unique characteristics that causes this violation:
 - a. The lot has frontage on two City streets (1st Street and 2nd Street)
 - b. The lot has a pre-existing historical building that will be re-used for this project proposal that cannot be moved to fit parking.

2. Backout parking into east alley – there is existing parking that currently backs into the existing eastern platted alley. This existing condition violates the UDO due to another unique characteristic:
 - a. The lot has a pre-existing historical building and east side parking field that is planned to be re-used.

528 NORTH WALNUT STREET
812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

3. Re-construct 2nd Street sidewalk and tree plot – Requirement from City is expand tree plot and sidewalk along 2nd street to 8’ and 10’, respectively. Currently, 2nd street frontage has 5’ tree plot with 5’ sidewalk. Again, there are existing conditions of this site that makes it unique to not be able to meet this requirement:
 - a. A large existing retaining wall right at back of current sidewalk that would need to be removed and rebuilt to expand sidewalk and tree plot.
 - b. Large, beautiful maple trees that would be difficult to keep if expanded walk and tree plot were required. These trees are approx.. 30” caliper and are 15’ beyond retaining wall.

After you have had a chance to review our petition, please feel free to contact us at anytime questions regarding our submission.

Sincerely,
Bynum Fanyo & Associates, Inc.

Daniel Butler, PE, Project Engineer

revisions:

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

BYNUM FAYO & ASSOCIATES, INC.

528 North Walnut Street
(612) 332-8030

Bloomington, Indiana
(612) 339-2990 (fax)

certified by:

PROPOSED
IU HEALTH
HUNTER SCHOOL PROPERTY
727 WEST SECOND STREET
BLOOMINGTON, IN 47403

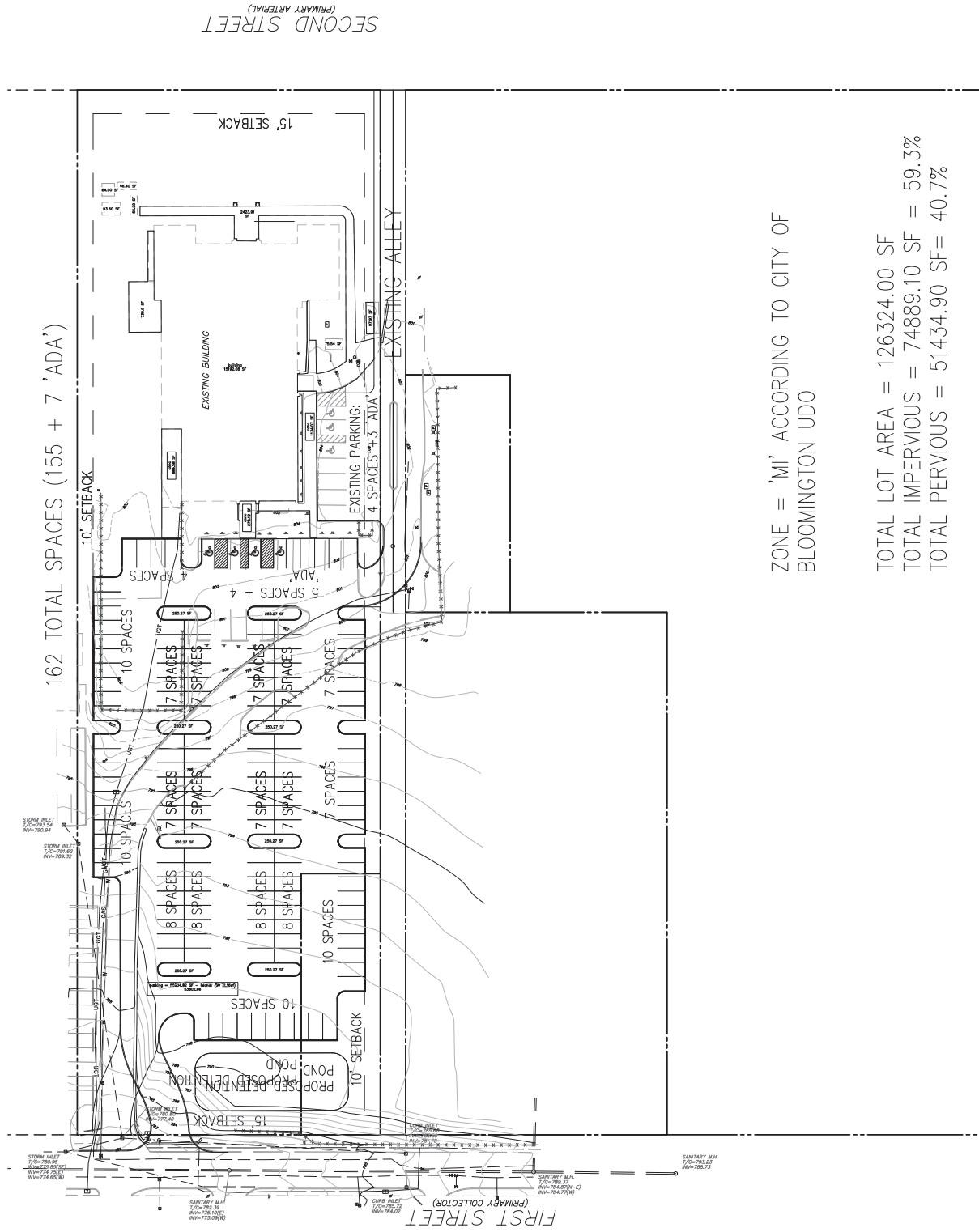
designed by: D. DILL
drawn by: D. DILL
checked by: D. DILL
sheet no.: 6301
project no.: 402316

12

THE OVERALL SITE
LAYOUT PLAN &
PROPOSED
EXHIBIT

NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY CITY OF BLOOMINGTON IMMEDIATELY IN WRITING OF ANY DISCREPANCIES OR CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO COMPLETING ELEVATIONS.



162 TOTAL SPACES (155 + 7 'ADA')

ZONE = 'M', ACCORDING TO CITY OF
BLOOMINGTON UDO

TOTAL LOT AREA = 126324.00 SF
TOTAL IMPERVIOUS = 74889.10 SF = 59.3%
TOTAL PERVIOUS = 51434.90 SF = 40.7%

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 1420 W. Kirkwood Ave

CASE #: V-19-23
DATE: August 24, 2023

PETITIONER: Adam Jackson (Caritas-Indiana, LLC)
 4431 Hickory Stick Row, Greenwood, IN

CONSULTANTS: Springpoint Architects, Inc.
 522 W. 2nd Street, Bloomington

REQUEST: Variance from architecture standards to allow the construction of a 16-unit multifamily building in the Residential High Density Multifamily (RH) zoning district.

REPORT: This 50'x141' (7,050 sq. ft.) property is located at 1420 W. Kirkwood Ave and is zoned Residential High-Density Multifamily (RH). The property is developed with a single family residence and detached accessory garages. Surrounding properties to the east and west are zoned Residential High-Density Multifamily (RH), Residential Multifamily (RM) to the north, and Mixed Use Medium Scale (MM) to the south. Surrounding land uses include single and multifamily residences to the north, a contractor's yard to the east, a mobile home park to the west, and a church to the south. The property has public roads running along the south (W. Kirkwood Ave.) and west (N. Hopewell St.) property lines. There are no known sensitive environmental features on the site.

This site received previous approvals including a variance from sideyard building setbacks (V-34-22) and a variance from architectural standards (V-48-22) for a proposed four-story multifamily building with 16 units. However, due to projected construction costs the petitioner has had to redesign the development plans for the site and is now proposing a 2-story multifamily building with 8 dwelling units instead. The overall site plan has stayed the same and includes the construction of 2 new on-street parking spaces on Kirkwood Avenue and 5 on-street parking spaces on Hopewell Street. There are no on-site parking spaces required or proposed. New 6' wide concrete sidewalks will be required along both frontages and have been shown. New landscaping will also be installed within the site as well as a minimum of 6 bicycle parking spaces.

The petitioner is requesting a variance from Section 20.04.070(d)(3)(J) of the Building Design standards due to the difficulty of designing a building that meets all of the architectural standards on this narrow lot. The petitioner has been able to incorporate several elements and design features on the building to meet the desired goals of the architectural standards, however full compliance is not possible on this narrow lot with this proposed residential-style building. The petitioner has incorporated defined breaks in the height of the building along the length of the building, a change in building height of 2' at the center of the building, regular pattern of windows along all four sides of the ground floor, and included awnings along the ground floor windows and at the entrances.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE
20.06.080(b)(3)(E) Standards for Granting Variances from Development Standards:

A variance from the development standards of the Unified Development Ordinance may be approved

only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PROPOSED FINDING: The granting of the variance will not be injurious to the public health, safety, morals, or general welfare of the community. There will be no impact to the overall safety in the design of the building with the granting of this variance.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

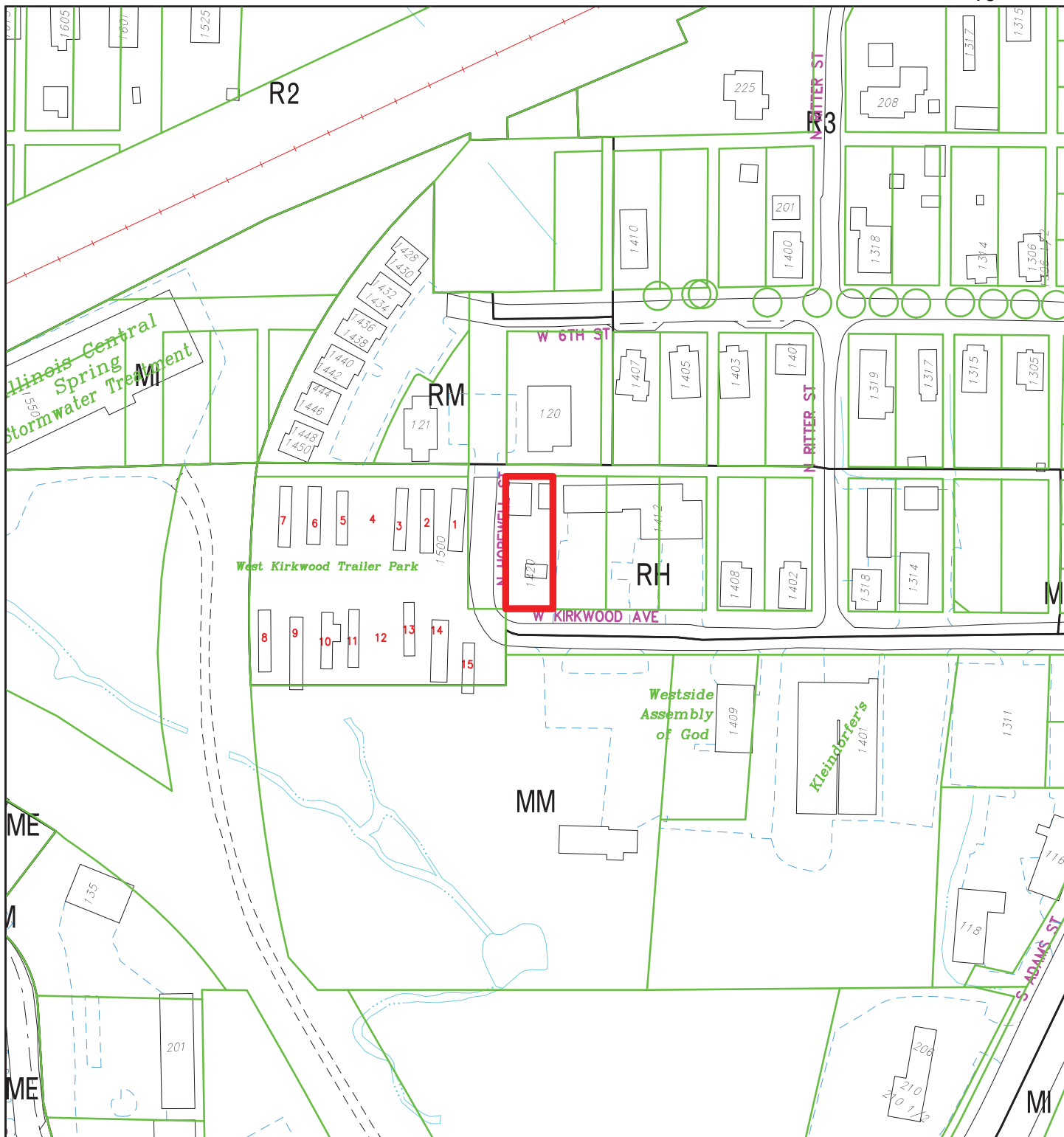
PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. The building will meet all building code standards. The reduction in change in building height, modulation, and amount of ground floor windows is not expected to impact the use or value of the areas adjacent to the property. The overall design of the building has incorporated all of the required design elements, however full compliance is not possible due to the property size and building use.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

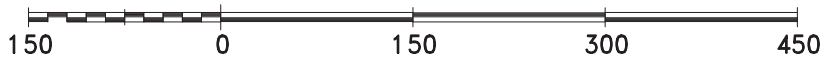
PROPOSED FINDING: The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as they would not allow for the property to be developed in any manner consistent with this zoning district due to the narrow width of the lot. The amount of buildable area and width of the lot allows for only a 25' wide building. The 116' length of the building requires 3.48' of modulation on each side and in essence further reduces the width of a building by almost 7' more, reducing the buildable area to only 18' wide. Although the petitioner has incorporated ground floor windows on all four sides, it is not possible to incorporate a minimum 30% void-to-solid. The practical difficulties are peculiar to the property in question because the width and size of the property in combination with the required setbacks do not allow for a building to be designed to be appropriate for this area to occur on the property without the granting of a variance. The petitioner has designed the building to include the all of the required design elements, however full compliance is not possible. The granting of the variance allows for the property to be redeveloped in a manner consistent with the Comprehensive Plan, zoning district, and provide improvements to the area.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-19-23 with the following condition:

1. Site plan approval is required prior to issuance of a grading permit.
2. This approval is for the submitted site plan and elevations only.

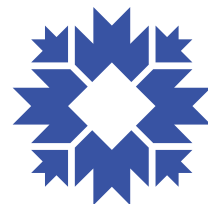


By: greulice
19 Aug 22

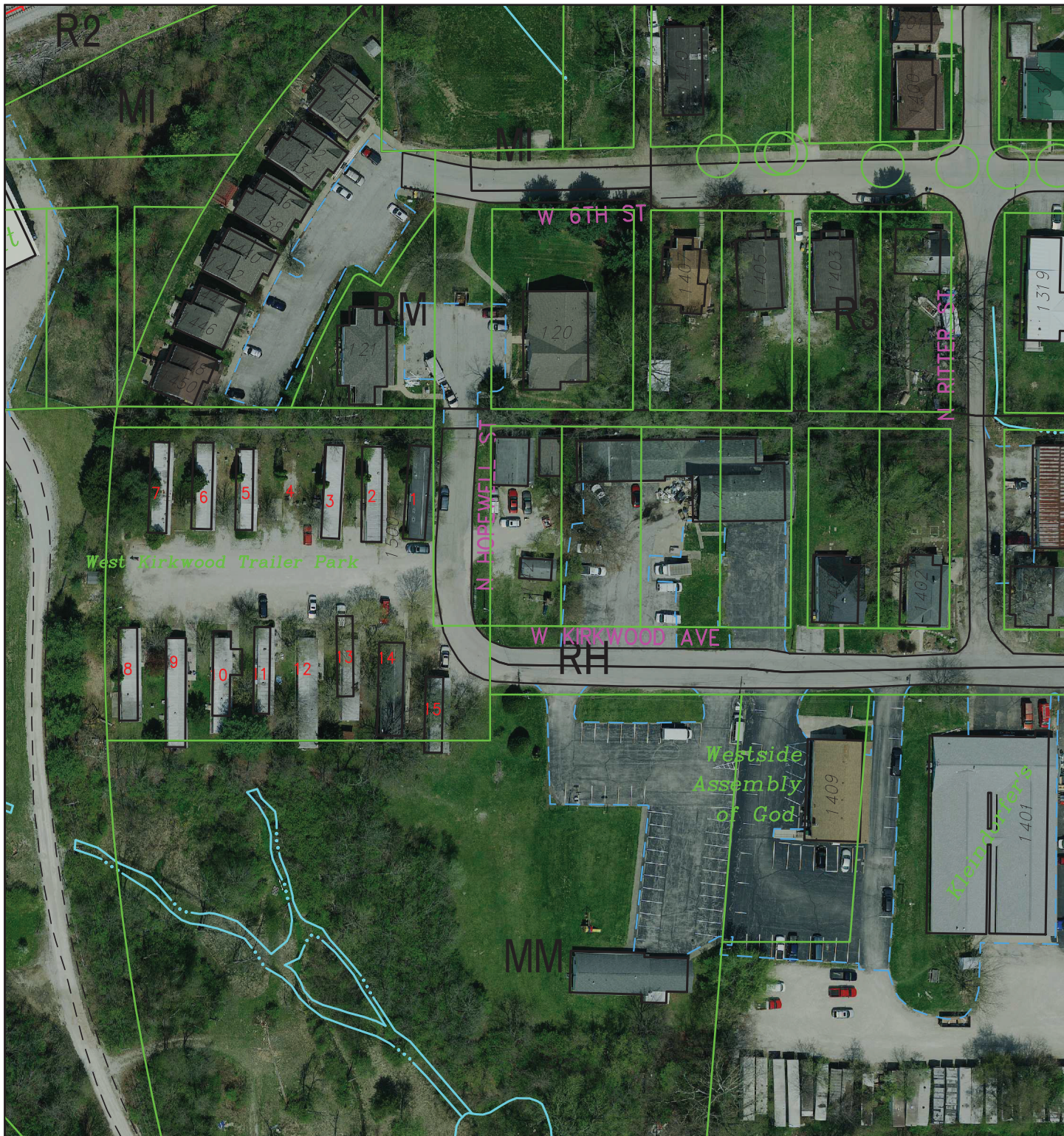


For reference only; map information NOT warranted.

City of Bloomington
Planning



Scale: 1" = 150'

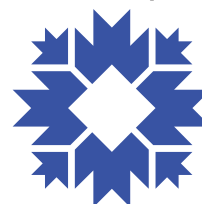


By: greulice
19 Aug 22



For reference only; map information NOT warranted.

City of Bloomington
Planning



Scale: 1" = 100'



June 21, 2023

Eric Greulich
Senior Zoning Planner
City of Bloomington
401 N. Morton Street
Bloomington, IN 47404

Re: Caritas-Indiana 1401 W. Kirkwood Avenue Apartments

Dear Mr. Greulich & Board of Zoning Appeals Members,

Caritas-Indiana, seeks to build a (2) story, eight (8) unit apartment building at 1420 W. Kirkwood Avenue. This affordable housing project will meet the rent requirements for the HUD Housing Choice Voucher Program Section 8.

The site is a corner lot in the Residential High Density (RH) zone, with front setbacks that are 15 feet and the side setbacks that are 10 feet. The property dimensions are 50 feet by 141 feet which, after the setbacks, leaves an allowable building footprint of 25 feet x 116 feet.

Due to the long, thin proportion of the site, the architecture of the project is unable to fully meet the exterior façade provisions on the east and west sides of the building design as stated in the Unified Development Ordinance amended on 4/30/2023. We are therefore requesting a variance from the Building Design Exterior Façade provision due to practical difficulties created by the shape of the site.

The east and west elevations of the building meet two (2) of the three (3) required elements possible:

Awning/Canopy

Awnings or canopies are provided within each building module.

Change in Building Height

The gable roof of the building is broken at the stairs with a flat roof section creating a height difference of more than 5'. At the middle of the building, there is a 2' vertical offset which is permitted when the building is less than 25' tall.

Transparent Glass at First Floor

This design element is not feasible for an apartment building with dwelling units on the first floor.

Recesses and Projections

Given a building length of 116 feet, a .03% offset results in 42" on both the east and west elevations. This would leave an unrealistic building width of 18'. However, the two open stairs are visible on both the east and west sides of the building and provide the visual break in the elevations desired by the UDO. It is possible to see through the building. This change occurs within 50 feet rather than 40 feet.

Projecting Porches, Balconies, or Entry Stoops



The building does have entry stoops on the east and west elevations but they do not repeat within a 40' increment.

In summary, the architecture of the project utilizes the design elements listed above to the greatest extent possible to meet the UDO goals of breaking down the scale and avoiding blank, uninterrupted walls. The long, thin porportion of the site creates practical difficulties in fully meeting all three (3) required design elements on the long east and west elevations.

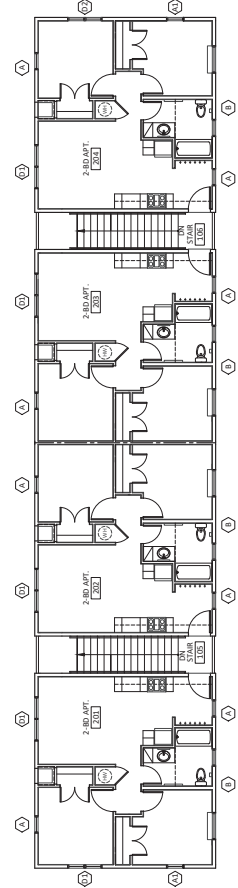
Thank you for your considieration,

A handwritten signature in black ink that reads "Barre Klapper". The signature is fluid and cursive, with a long horizontal stroke at the end.

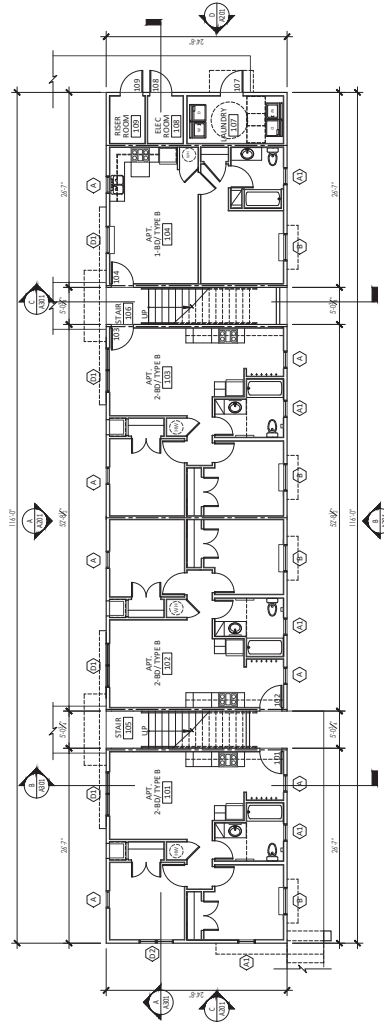
Barre Klapper, AIA
Springpoint Architects, pc

GENERAL PLAN NOTES

- A. CONTRACTOR TO FIELD, VERIFY ALL DIMENSIONS, CONDITIONS AND LOCATIONS. REPORT DISCREPANCIES TO ARCHITECT IMMEDIATELY.
- B. VERIFY ALL DIMENSIONS OF OTHER TRADES WORK PRIOR TO STARTING ANY CONSTRUCTION.
- C. DIMENSIONS ARE TO FACE OF FRAMING AT WALLS.
- D. WALLS ARE 2" x 4" UNLESS NOTED OTHERWISE.
- E. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- F. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- G. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
- H. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.
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- L. PROVIDE SOUND ATTENUATION BATTIS IN BATHROOM WALLS.

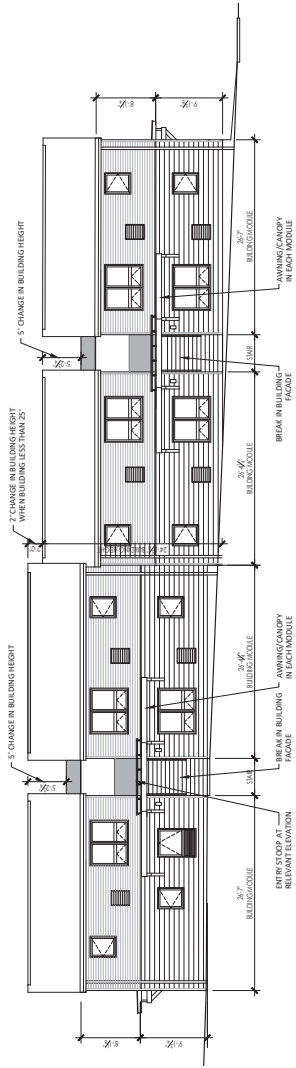


B SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

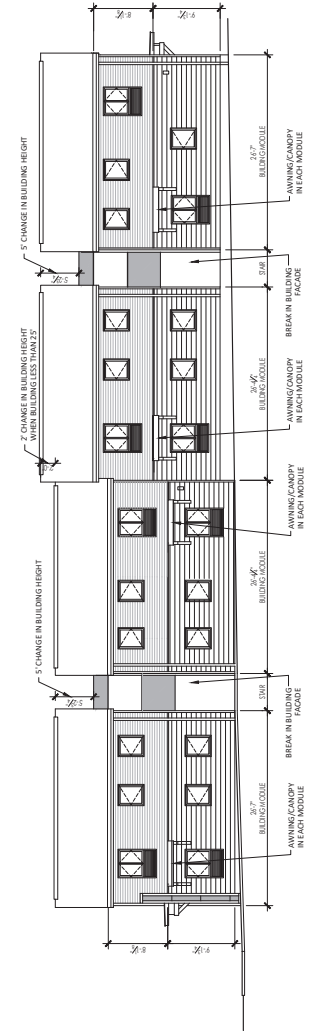


A FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

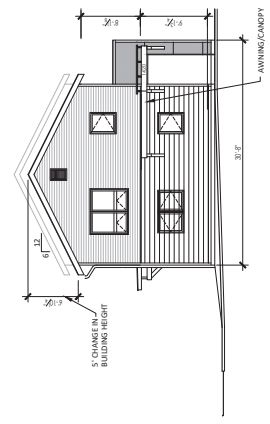
- LEGEND
- REFERENCE WALL TYPE DETAILS AND CODE PANS
 - INTERIOR PARTITION WALL, TYPICAL
 - 1-HOUR WEILING UNIT SEPARATION WALL
 - 1-HOUR EXTERIOR CORRIDOR SEPARATION INSULATION, 1" GYPSUM WALLBOARD, 1 HR BATT INSULATION, 1/2" GYPSUM WALLBOARD, 1/2" BATT INSULATION, 1/2" GYPSUM WALLBOARD
 - 1-HOUR EXTERIOR WALL, 2-46 STUD WALL @ 16" O.C. W/ 2" INSULATION, 1" GYPSUM WALLBOARD, 1/2" GYPSUM WALLBOARD, 1/2" GYPSUM WALLBOARD, 1/2" GYPSUM WALLBOARD
 - DOOR REFERENCE SCHEDULE



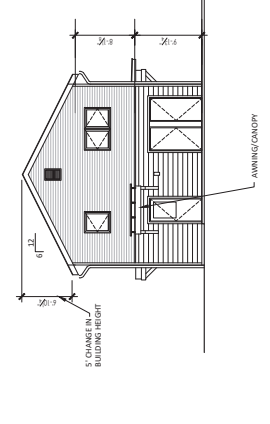
WEST BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



NORTH BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



EAST BUILDING ELEVATION
SCALE: 1/8" = 1'-0"

certified

Project title

INDIANA

CARITAS-INDIANA LLC
1420 W. KIRKWOOD AVE.

BLOOMINGTON

Project information

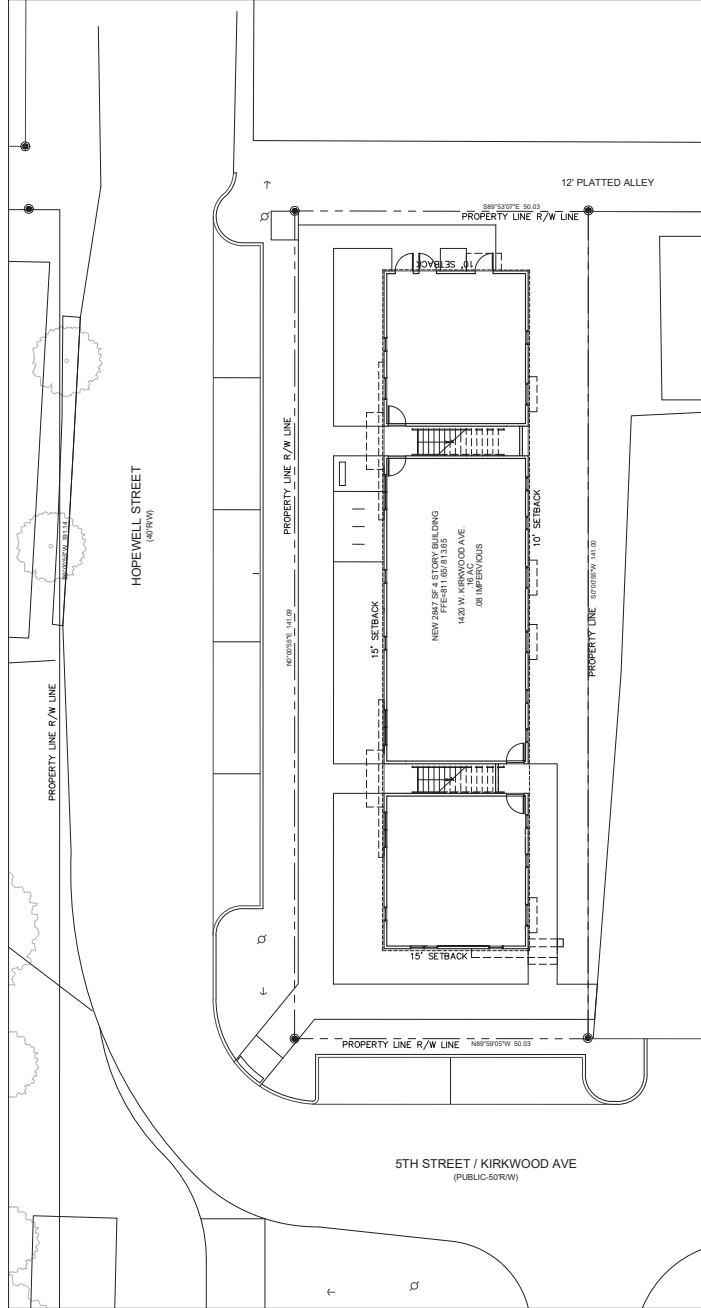
PROJECT NUMBER: 22-24
ISSUE DATE: 07/14/2023
REVISION DATE:

Sheet title

SITE PLAN

Sheet number

C101²²



A SITE PLAN
SCALE: 1" = 10'



BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
LOCATION: 917 N Fairview Street

CASE#: CU/V-20-23
DATE: August 24, 2023

PETITIONER: Daniel Weddle
 917 N Fairview Street
 Bloomington, IN

REQUEST: The petitioner is requesting Conditional Use approval for expansion of an existing dwelling duplex. Also requested is a variance from use-specific standards.

REPORT: The property is located at 917 N Fairview Street and is currently zoned Residential Small Lot (R3). All surrounding properties are also zoned R3. The property currently contains a lawful nonconforming dwelling, duplex and an accessory structure. The property is located in the Maple Heights Historic District and received a Certificate of Appropriateness for the requested work at the Bloomington Historic Preservation Commission (BHPC) meeting on July 13, 2023. The petitioner also received BHPC approval for an Accessory Dwelling Unit (ADU) at the site. The petitioner previously received approval for the ADU from the Planning and Transportation Department through Certificate of Zoning Compliance C21-621.

The main structure on the site currently contains two units. The petitioner proposes to add an addition to one of the units to provide an additional bedroom, as well as a bathroom. In order to expand the lawful, nonconforming duplex, a conditional use approval is required. The petitioner held a meeting to receive input from members of the neighborhood association, which is a requirement of this use in the R3 zoning district.

The petitioner is also requesting a variance from the use-specific standard, 20.03.030(b)(3)(C)(iv), that requires ‘each individual dwelling unit shall have separate utility meters.’ The site was developed with solar panels when net-metering was at its most advantageous for residential development. The petitioner would like to continue to utilize the existing solar array and system, with a goal of net zero energy usage for the entire site.

The petitioner is requesting a conditional use and variance approval in order to be able to construct an addition on an existing dwelling, duplex, and in order to be able to maintain the existing electrical configuration of the structure.

CRITERIA AND FINDINGS FOR CONDITIONAL USE PERMIT

20.06.040(d)(6)(B) General Compliance Criteria: All petitions shall be subject to review and pursuant to the following criteria and shall only be approved if they comply with these criteria.

- i. *Compliance with this UDO*
- ii. *Compliance with Other Applicable Regulations*
- iii. *Compliance with Utility, Service, and Improvement Standards*
- iv. *Compliance with Prior Approvals*

PROPOSED FINDING: There are use-specific standards that apply to the use “dwelling,

duplex” within the R3 zoning district. Though this dwelling duplex is neither newly constructed or a conversion into a duplex, the structure does have one entrance facing the street. The architectural characteristics of the structure are in keeping with those on the same block face, and the addition was approved by the BHPC. The structure will contain no more than six bedrooms. The petitioner is requesting a variance from the final standard related to utility meters. The petition complies with the UDO and other applicable regulations with the exception of the variance request for utility meters.

20.06.040(d)(6)(C) ADDITIONAL CRITERIA APPLICABLE TO CONDITIONAL USES

i. Consistency with Comprehensive Plan and Other Applicable Plans

The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other applicable adopted plans and policies.

PROPOSED FINDING: This proposal is in line with the goals of the Comprehensive Plan. The Comprehensive Plan identifies this area as the “Mixed Urban Residential” land use category. The Comprehensive Plan states that Mixed Urban Residential land use category is largely in older neighborhoods and that redevelopment should be compatible with surroundings. The Comprehensive Plan also states that the most appropriate development activity is the rehabilitation of older structures for residential uses. The proposal seeks to allow for the continuation of the structure as a residential use that allows access to nearby downtown amenities to more people. The proposal is in line with the Comprehensive Plan.

ii. Provides Adequate Public Services and Facilities

Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.

PROPOSED FINDING: The site has existing utility connection and no issues have been identified. The site will still meet setback and impervious surface restrictions with the proposed addition. The petitioner is requesting to continue to allow both units to share utility connections.

iii. Minimizes or Mitigates Adverse Impacts

- 1. The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.*
- 2. The proposed development shall not cause significant adverse impacts on surrounding properties nor create a nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights.*
- 3. The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.*
- 4. The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal*

neighborhood meeting for the specific proposal, if such a meeting is required.

PROPOSED FINDING: There are no natural or scenic features that will be impacted. The building is located within a historic district and received a Certificate of Appropriateness for the addition. No significant adverse impacts are expected from the expansion of the existing dwelling, duplex. No changes to trash and waste collection are expected. The petitioner has offered multiple occasions to meet with interested parties to discuss and address any concerns about the project.

iv. Rational Phasing Plan

If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.

PROPOSED FINDING: No phasing is proposed with this plan.

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCES:
Separate Utility Meters**

20.06.080(b)(3)(E)(i) Standards for Granting Variances from Development Standards: Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

- (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and*

PROPOSED FINDING: No injury to the public health, safety, morals, and general welfare is found as a result of this petition. The petitioner is requesting to continue the existing shared utilities at the site, which will allow for the continuation of the benefit of the solar-powered utilities for the owner. There will be no effect on the community at-large.

- (2) The use and value of the area adjacent to the property included in the development standards variance will not be affected in a substantially adverse manner; and*

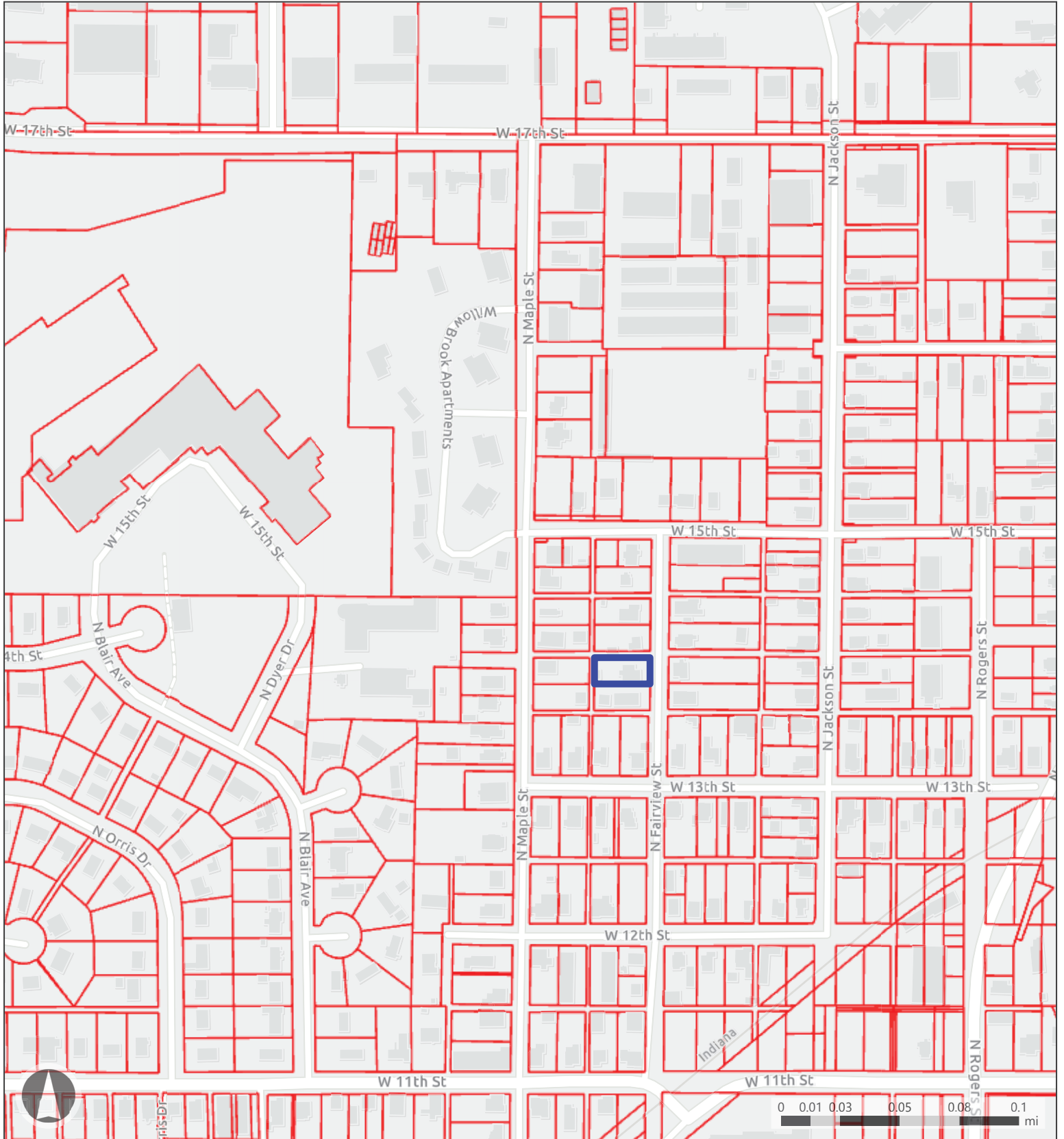
PROPOSED FINDING: No adverse effect to the use or value of the adjacent properties is found as a result of this petition. The existing utilities will be allowed to remain and no changes will occur. The use and value of the areas adjacent to the property will not be affected by this request.

- (3) The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in questions; that the development standards variance will relieve the practical difficulties.*

PROPOSED FINDING: Practical difficulty is found in the existing condition of the site. The Comprehensive Plan and Unified Development Ordinance both encourage the use of alternate sources for utility needs. This site currently utilizes and benefits from an existing solar array installation that helps the site move closer to net zero energy use on the site. Reconfiguring the existing utility connections would result in a loss that is greater than the gain received by requiring separate utilities, in this case. The goals of homeownership as well as sustainability of design are both important goals. However, in this case, because the solar infrastructure already exists at the site to work as one system for both units, and the maximum benefits of using solar are no longer available to residents installing solar on their properties, a practical difficulty is created with the requirement to split the utilities by unit.

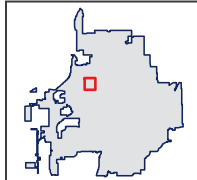
RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopts the proposed findings and recommends approval of CU/V-20-23 with the following conditions:

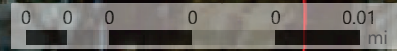
1. This conditional use and variance approval is limited to the design shown and discussed in the packet.
2. In the event that the petitioner removes the solar utility installation on the site, both units must have completely separate utility meters.



Map Legend

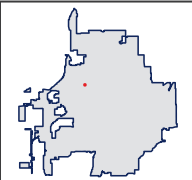
Parcels





Map Legend

 Parcels





Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Permit R-22-1088

Daniel Weddle <danny@terranrobotics.ai>
To: Jacqueline Scanlan <scanlanj@bloomington.in.gov>
Cc: planning@bloomington.in.gov

Thu, Jun 22, 2023 at 11:59 AM

Hello Jackie,

Let me know if you need anything else.

Project Statement

The project is to add a 3rd bedroom and half bath to the upstairs portion of the non-conforming duplex located at 917 North Fairview street. This addition will add a much needed toilet to the upstairs portion of the home while providing another code compliant bedroom. Over time the desire is to construct 8 bedrooms on the property in order to minimize occupant cost of living while maximizing density downtown. The 8 bedroom number will be met ultimately by adding a 3rd bedroom to both the top floor and basement duplex, in addition to 2 bedrooms in an Accessory Dwelling Unit which is currently under construction.

The form of the bedroom is atypical. It is being converted from a previously constructed tiny home. This tiny home has been inspected by 3 members of the building department to determine its suitability to be remodeled into a code compliant structure. This structure was constructed by the homeowner, who has been working with the city for a couple of years to add the home to his property in a code compliant fashion.

Variance Request Reason

The non-conforming duplex shares an electrical meter. The homeowner would like to keep this arrangement as a long term goal for the property is to net zero the energy use through solar. The solar system that was installed while net metering was being grandfathered, currently serves both units and will be expanded in time to cover the needs of the property. A new panel, metered on its own, would not qualify for net metering as the ability to install and grandfather systems ended January 1st, 2023.

Daniel Joseph Weddle
CDO, Terran Robotics
danny@terranrobotics.ai

[Quoted text hidden]

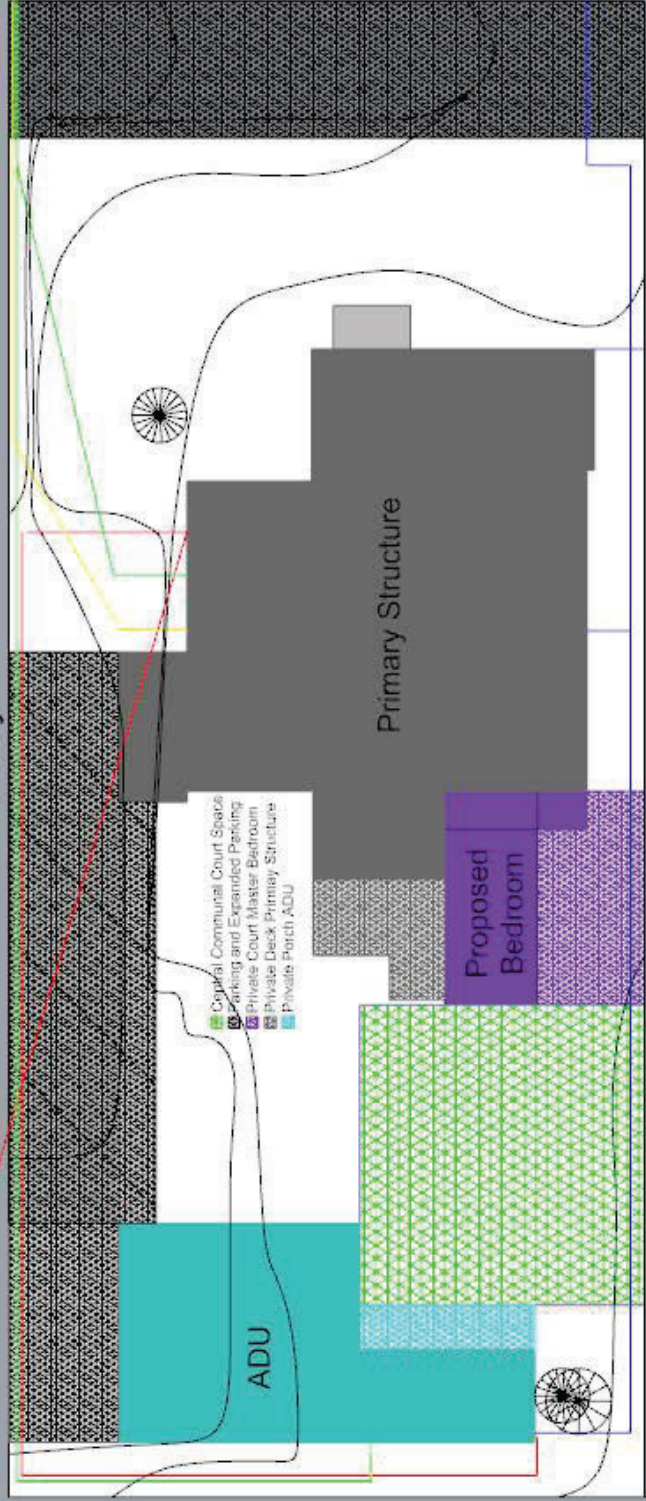
917 North Fairview
0 10 20
N ↑

Parking
 Water
 Sewer
 Electric
 Gas

North Fairview Street

Adjacent Property

Alley



Primary Structure

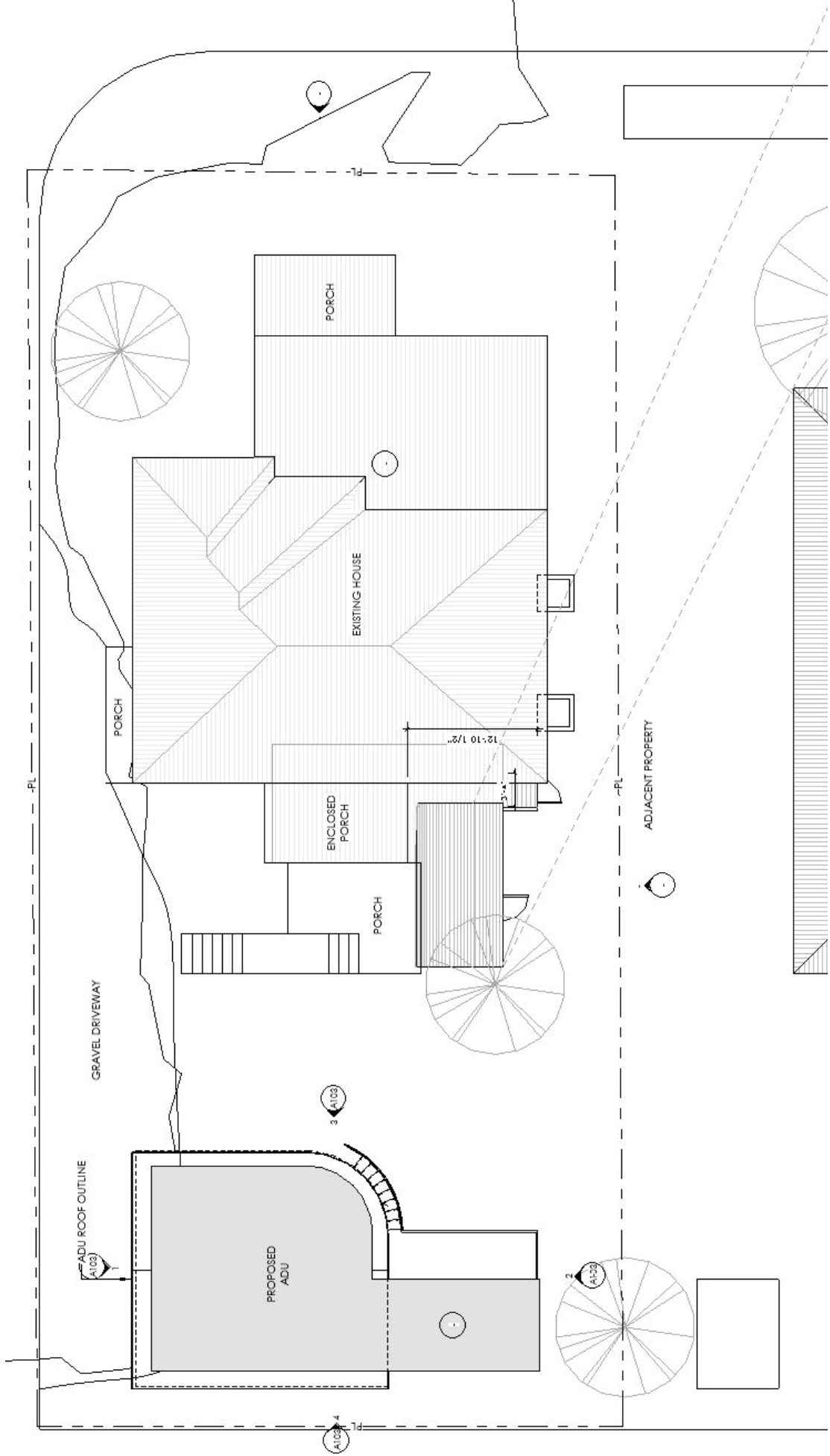
Proposed Bedroom

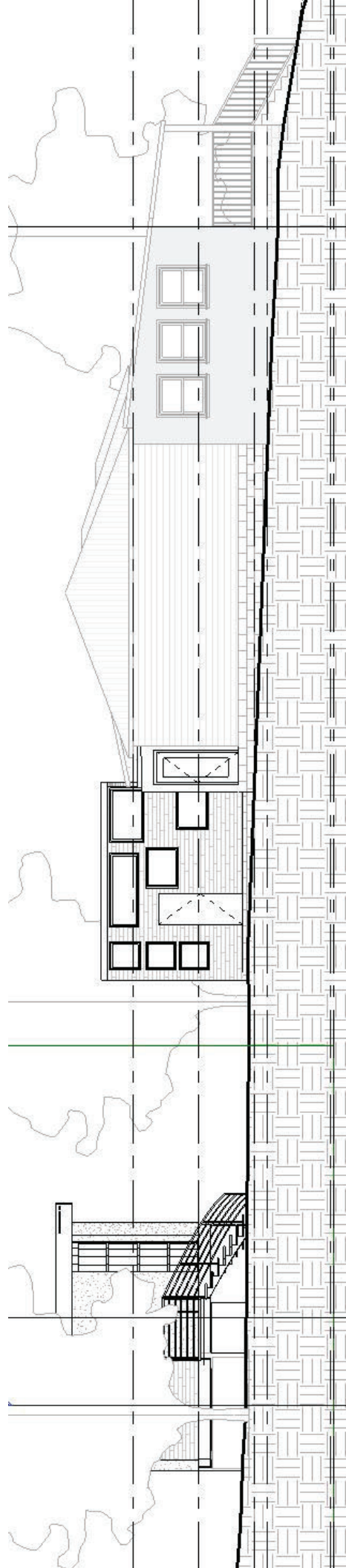
ADU

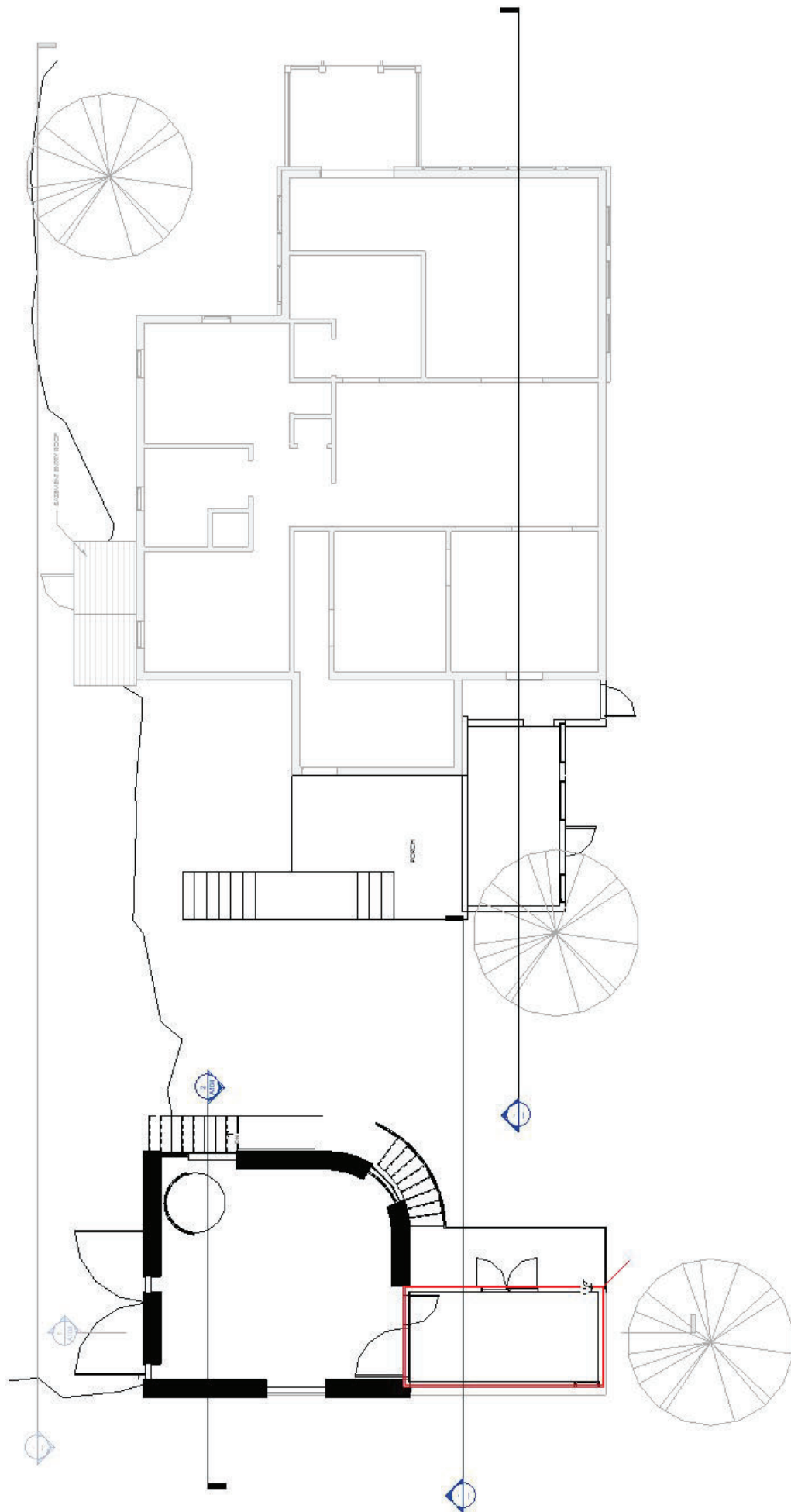
Alley

Adjacent Property

Adjacent Property







BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 1100 W 11th Street

CASE #: V-21-23
DATE: August 24, 2023

PETITIONER: Community Kitchen of Monroe County
 1515 S Rogers Street, Bloomington

CONSULTANTS: Springpoint Architects, Inc.
 522 W. 2nd Street, Bloomington

REQUEST: Development standards variance from the driveway location standard to allow vehicular access from 11th Street; variance from minimum parking setbacks; and variance from maximum parking space total standard.

REPORT: This 50'x120' (6,000 sq. ft.) property is located at 1100 W 11th Street and is zoned Mixed-Use Neighborhood Scale (MN). The property is developed with a commercial building and parking area. Surrounding properties to the north and west are also zoned MN, with properties to the east and south zoned Residential Small Lot (R3). Surrounding land uses include a Boys and Girls Club building to the north, a gas station to the west, and detached single family to the south and east, across both 11th and Monroe Streets. There are no known sensitive environmental features on the site.

The petitioner is redeveloping the site with a new building and parking area to continue their ability to provide meals for those in need from this location. The existing building is roughly 800 square feet, and the petitioner is proposing to demolish the existing building and replace it with a building that is roughly 1,000 square feet that is square with the corner and better utilizes the limited space on the site.

The petitioner needs 3 variances to develop in the desired configuration. The property is on a corner, so is required to derive vehicular access from the lower classified road, which is Monroe Street. However, the Monroe Street frontage is so limited, that a greater separation from the intersection can be achieved on 11th Street. The limited depth of the parcel, 50 feet, also limits where the parking can be located, requiring a setback variance. Lastly, the small size of the proposed building allows for limited parking spaces, so the petitioner is requesting additional parking spaces.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE
20.06.080(b)(3)(E) Standards for Granting Variances from Development Standards:

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

VEHICULAR ACCESS PROPOSED FINDING: The granting of the variance will not be

injurious to the public health, safety, morals, or general welfare of the community. Currently, there are entrances on both 11th and Monroe Streets. The new configuration will result in one vehicular entrance on 11th Street that is more than 50 feet from the intersection, a situation that cannot be achieved on Monroe Street.

PARKING SETBACK PROPOSED FINDING: The granting of the variance will not be injurious to the public health, safety, morals, or general welfare of the community. The parking spaces are not immediately adjacent to the right-of-way, and are improved from the existing.

PARKING TOTAL PROPOSED FINDING: The granting of the variance will not be injurious to the public health, safety, morals, or general welfare of the community. The parking spaces are not adjacent to the right-of-way, and are improved from the existing.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

VEHICULAR ACCESS PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. The new configuration will limit vehicular access to one entrance, and improve the interface with the surrounding roadways.

PARKING SETBACK PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. The property is only 50 feet deep, and in order for the building to meet setbacks, there is not sufficient room for the site to support necessary parking. The parking will not be ahead of the front building wall, and landscaping will be planted along some of the other setback areas.

PARKING TOTAL PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. All parking will be in line with or behind the front building wall. One accessible space will be provided.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

VEHICULAR ACCESS PROPOSED FINDING: The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as requiring vehicular access off of Monroe Street would necessitate that the driveway be closer than 50 feet to the intersection. Increased distance from the intersection is desirable for safety. The 50 feet width of the commercial parcel is a peculiar condition that necessitates variance for the access.

PARKING SETBACK PROPOSED FINDING: The Department finds that the strict

application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as the 50 foot depth of the property does not allow for parking that can meet all of the parking setbacks. All parking in the proposal is equal to or behind the front building wall of the building. The building can be built no closer to 11th or Monroe Streets than 15 feet, and the parking should be 20 feet behind the front building walls. The parking also has to be 8 feet from the northern and western property lines. That leaves only a 7 foot width in which all parking must be located. The reduced depth of the lot is a peculiar condition that can only be relieved by a variance.

PARKING TOTAL PROPOSED FINDING: The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as they would not allow for the property to be used in a manner consistent with this zoning district due to the small size of the lot and building. The proposed building will only allow for 3 parking spaces, one of which that must meet ADA requirements. The small lot limits the size of the building because of required setbacks and impervious surface coverage, which is a peculiar condition in this district. The allowance of two (2) additional parking spaces is appropriate and requires a variance.

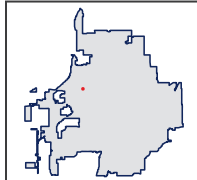
RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-21-23 with the following condition:

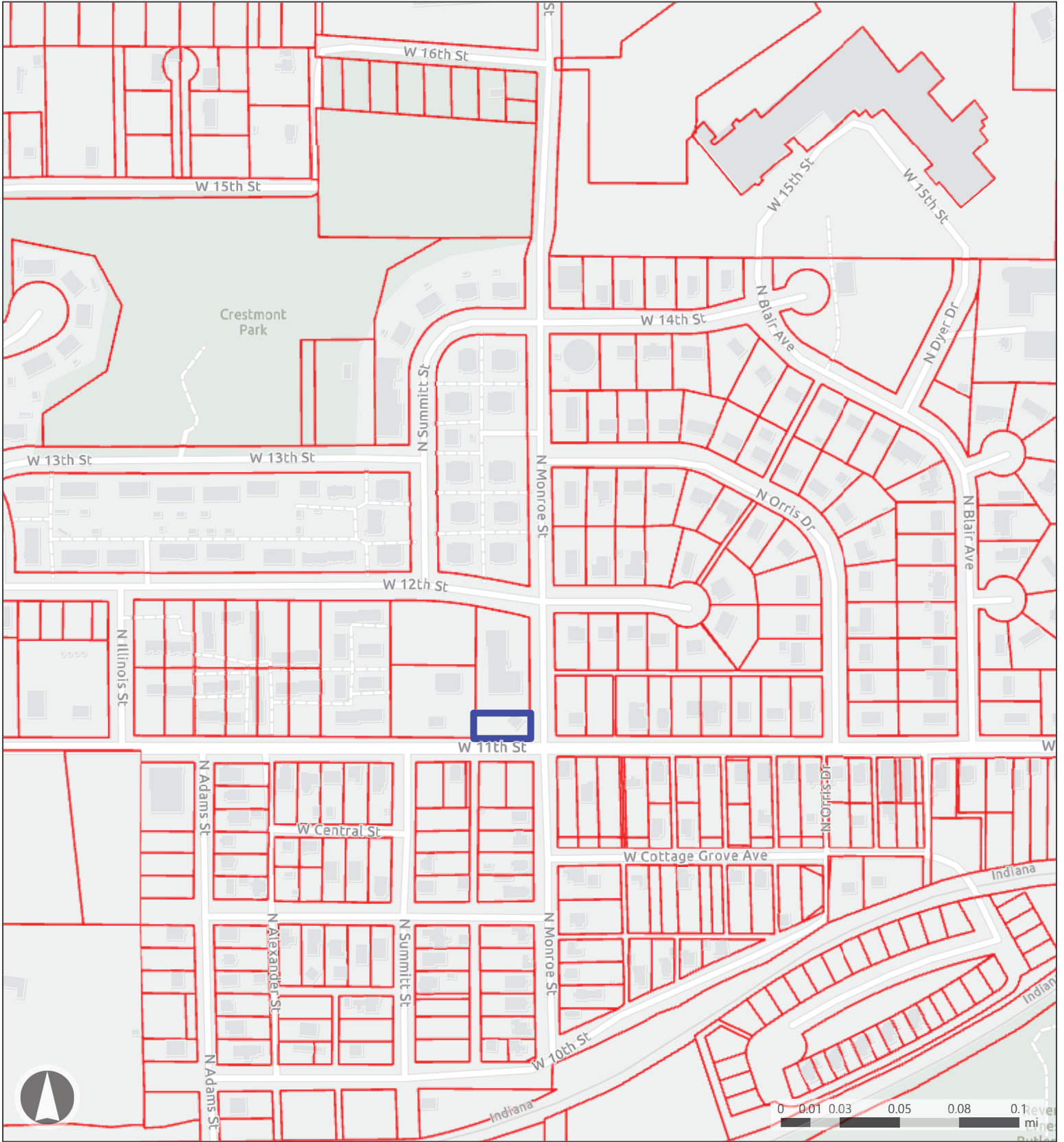
1. Site plan approval is required prior to issuance of a grading permit.
2. This approval is for the submitted site plan only, with the following modifications:
 - a. Additional landscaping density will be required along the western property line adjacent to the parking spaces.
 - b. The drive aisle north of the parking spaces must be as short as possible to still allow vehicular movement and if green space is possible, landscaping is required.



Map Legend

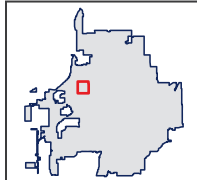
 Parcels





Map Legend

Parcels





June 22, 2023

Jaquie Scanlan
Development Service Manager
City of Bloomington
401 N Morton St, Ste 130
Bloomington, IN 47404

RE: Community Kitchen Express
1100 West 11th Street, variance request

Dear Jaquie,

The Community Kitchen of Monroe County, the owner of the property at 1100 West 11th Street, is proposing a new building and related site improvements to replace their existing facility in which they operate Community Kitchen Express. Having operated at this location since 2000, they provide both warm and cold carryout meals from 4:00 – 6:00 pm, Monday- Saturday, no questions asked. They serve approximately 100 people each day, with most being walk-up customers from the nearby community.

The property is a corner .13-acre lot which contains an existing 484 square building and parking lot. Constructed in the 1970's as a barbeque restaurant, the building sits angled toward the corner. The existing building will be removed completely and replaced with a new, 1000 SF structure which will relate to the corner orientation, provide better overall functioning, and comply with the UDOs architectural standards.

The existing site features include drive-way cuts on both Morton and 11th Streets, an almost fully paved site, and unclear pedestrian connections. The proposed site improvements will eliminate the drive-way cut on Morton, comply with current impervious surface lot coverage requirements, and create direct and accessible pedestrian connections.

Due to the small size and narrow proportions of the lot, the owner would like to respectfully request variances from the following three (3) site development standards:

1. Drive access off of 11th Street (higher classified road) in lieu of Morton Street (lower classified road): The narrow lot width and proximity to the intersection creates a practical difficulty to have the drive access from Monroe Street.
2. Parking aligned with the south elevation of the building, facing 11th street in lieu of the required 20 feet: This requirement is met for the east elevation, facing Monroe Street. The narrow, corner lot creates practical difficulties to meet this requirement for both Morton Street and 11th Streets.
3. Increase in allowed parking from three (3) spaces to five (5): The use for this project has been determined to be "Office" which limits a maximum of 3.3 spaces per 1,000 SF of GFA, resulting in three (3) spaces. The small size of the property and unique requirements of the Community



Kitchen Express limit the size of the building, therefore limiting the number of parking spaces allowed. The five (5) proposed parking spaces will be used in the following manner:

- One (1) space for the Community Kitchen delivery truck
- One (1) space for volunteer parking
- One (1) space designated for accessible parking
- Two (2) spaces for patrons

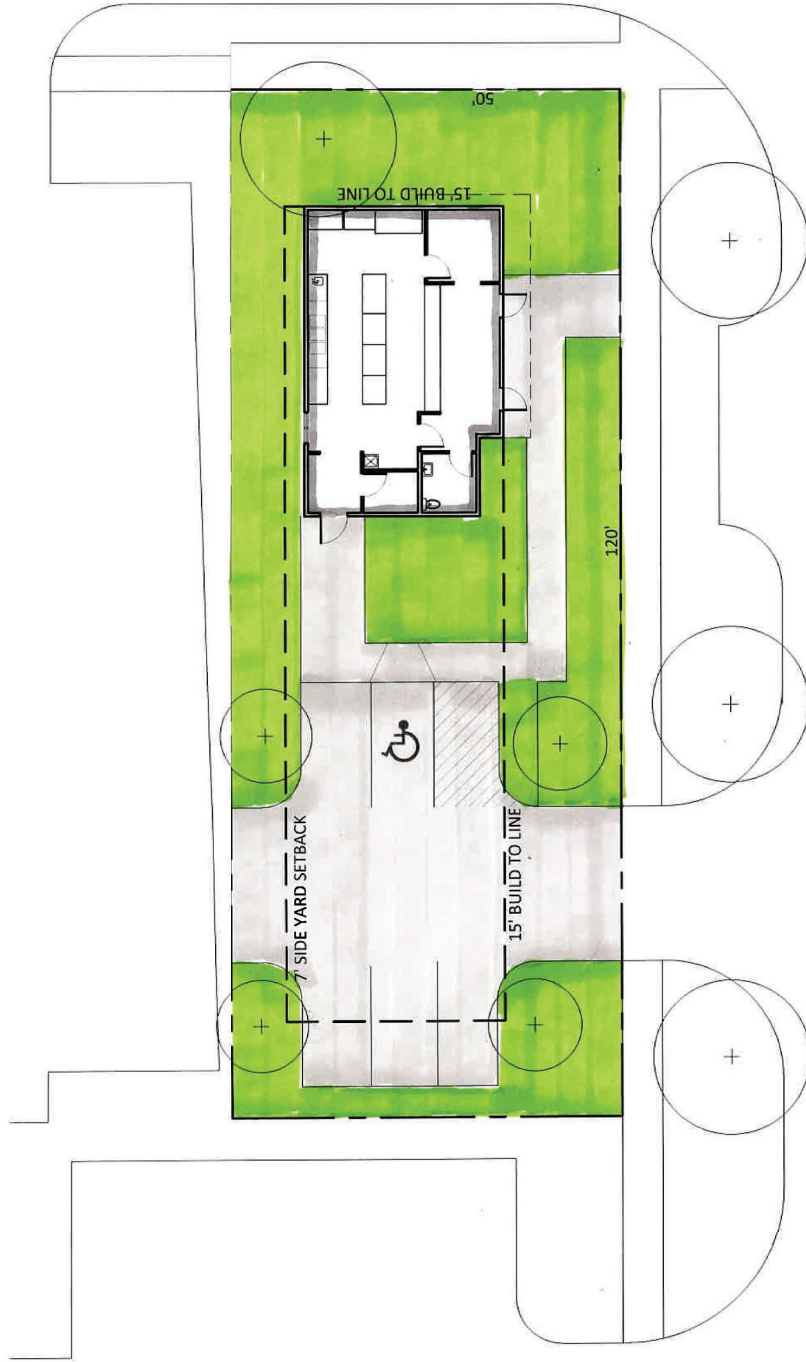
Thank you for your time and consideration of these requests. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Dawn M Gray". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

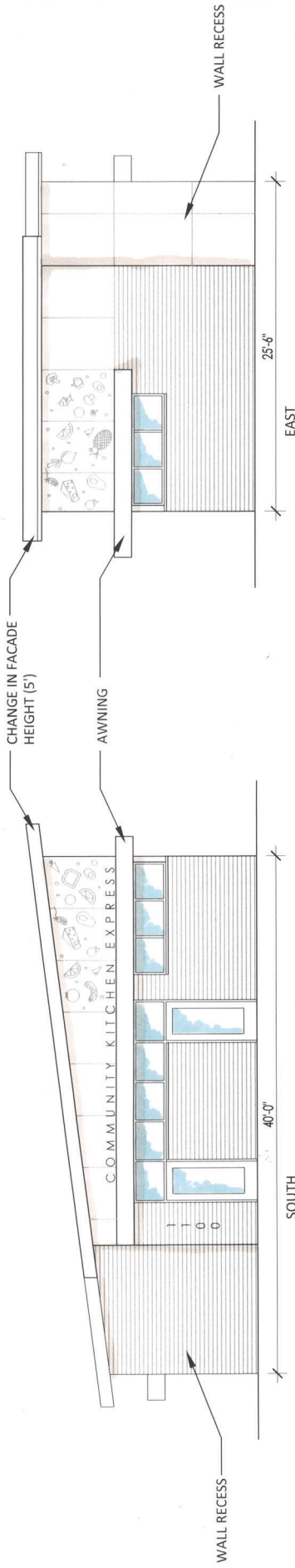
Dawn M Gray, AIA
SPRINGPOINT ARCHITECTS, pc

NORTH MONROE STREET



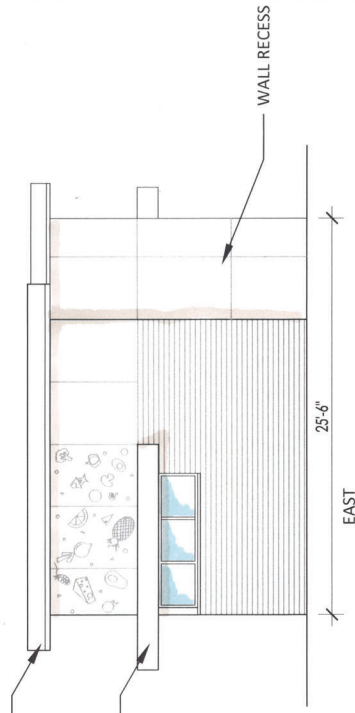
WEST 11TH STREET

COMMUNITY KITCHEN EXPRESS
 1100 WEST 11TH STREET



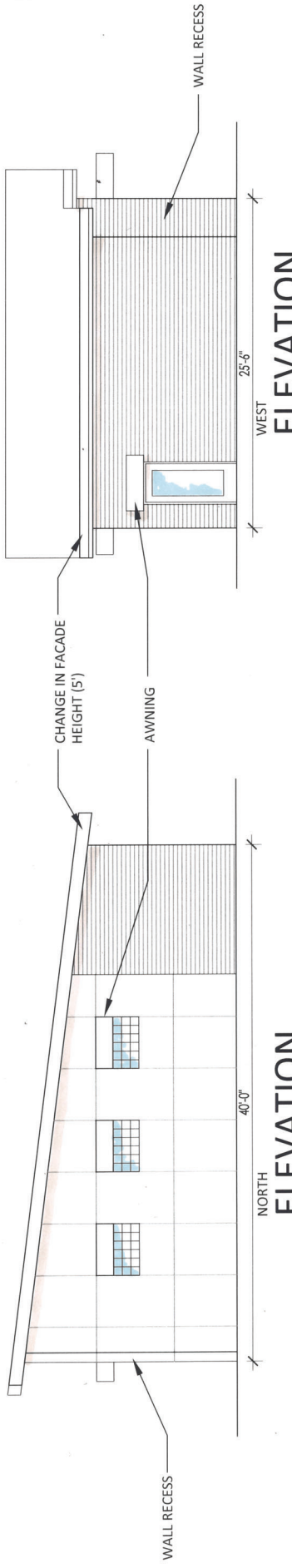
ELEVATION

SCALE: 1/8" = 1'-0"



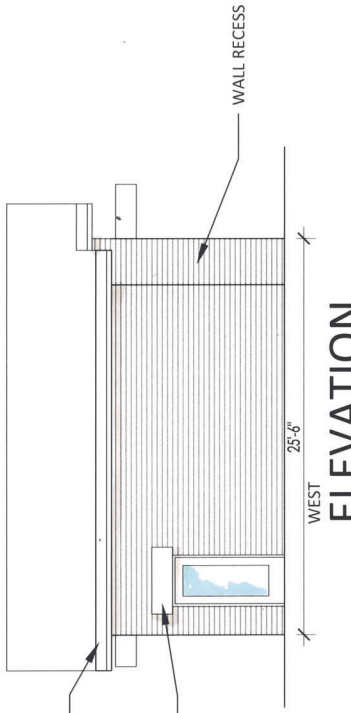
ELEVATION

SCALE: 1/8" = 1'-0"



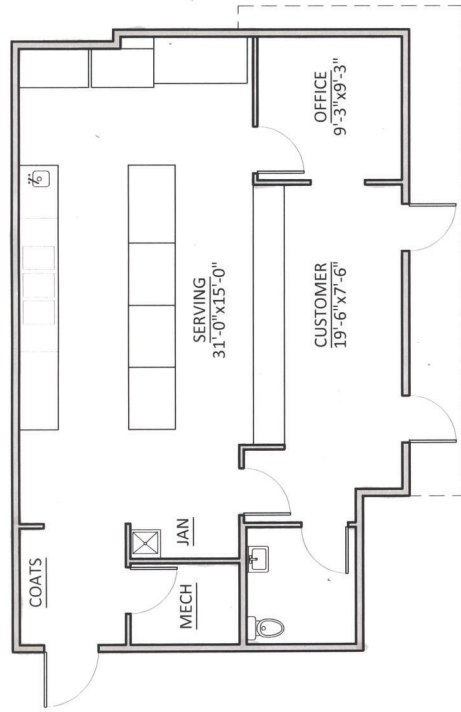
ELEVATION

SCALE: 1/8" = 1'-0"



ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED
FLOOR PLAN ↑
 SCALE: 1/8" = 1'-0"

COMMUNITY KITCHEN EXPRESS
 1100 WEST 11TH STREET

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 1701 South Liberty Drive

CASE #: V-22-23
DATE: August 24, 2023

PETITIONER: True Storage LLC
670 N Commercial St, Suite 303
Manchester, NH 03101

CONSULTANT: Andy Knust; Bledsoe Riggert Cooper James, Inc
1351 W Tapp Rd
Bloomington, IN 47403

REQUEST: Variance from location and separation of drives standard in the Mixed-Use Medium (MM) zoning district.

REPORT: The property is currently zoned Mixed-Use Medium Scale (MM), and is located on the east side of South Liberty Drive. The properties to the east and south are also zoned MM. The properties west are zoned Residential High-Density Multifamily (RH). The properties to the north are outside the City's jurisdiction and are in the Monroe County planning jurisdiction. Currently, the property contains the Coca-Cola Distribution Center, a one-story metal and brick building with an area of 59,275 square feet and 46 parking spaces.

The petitioner will need to seek major site plan approval for this Change in Use because the development is located within 500 feet of the centerline of Interstate 69. The existing building will be remodeled to add a mezzanine level with interior storage units on both levels accessed from interior hallways. The petitioner plans to attend the September 11th Plan Commission hearing.

This petition is for a variance from the location and separation of drives standard that requires no entrance or drive to be installed closer to a street than the existing or proposed front building wall running less than 45 degrees from parallel to the street right-of-way or ingress/egress easement. The proposed internal drive location will allow vehicles to access proposed loading areas on the north side of the building. The proposed drive location is approximately 225 feet from the property line adjacent to the right-of-way.

CRITERIA AND FINDINGS FOR LOCATION OF DRIVE IN FRONT OF FRONT BUILDING WALL VARIANCE

20.06.080(b)(3)(E)(i)(1) Standards for Granting Variances from Development Standards: Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

- (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and*

PROPOSED FINDING: The granting of the variance to allow for a drive to be installed closer to the street than the existing front building wall running less than 45 degrees from parallel to the street right-of-way is not expected to be injurious to the public health, safety, morals, or general welfare of the community since the proposed drive location is so far

back from the right-of-way at approximately 225 feet.

- (2) *The use and value of the area adjacent to the property included in the development standards variance will not be affected in a substantially adverse manner; and*

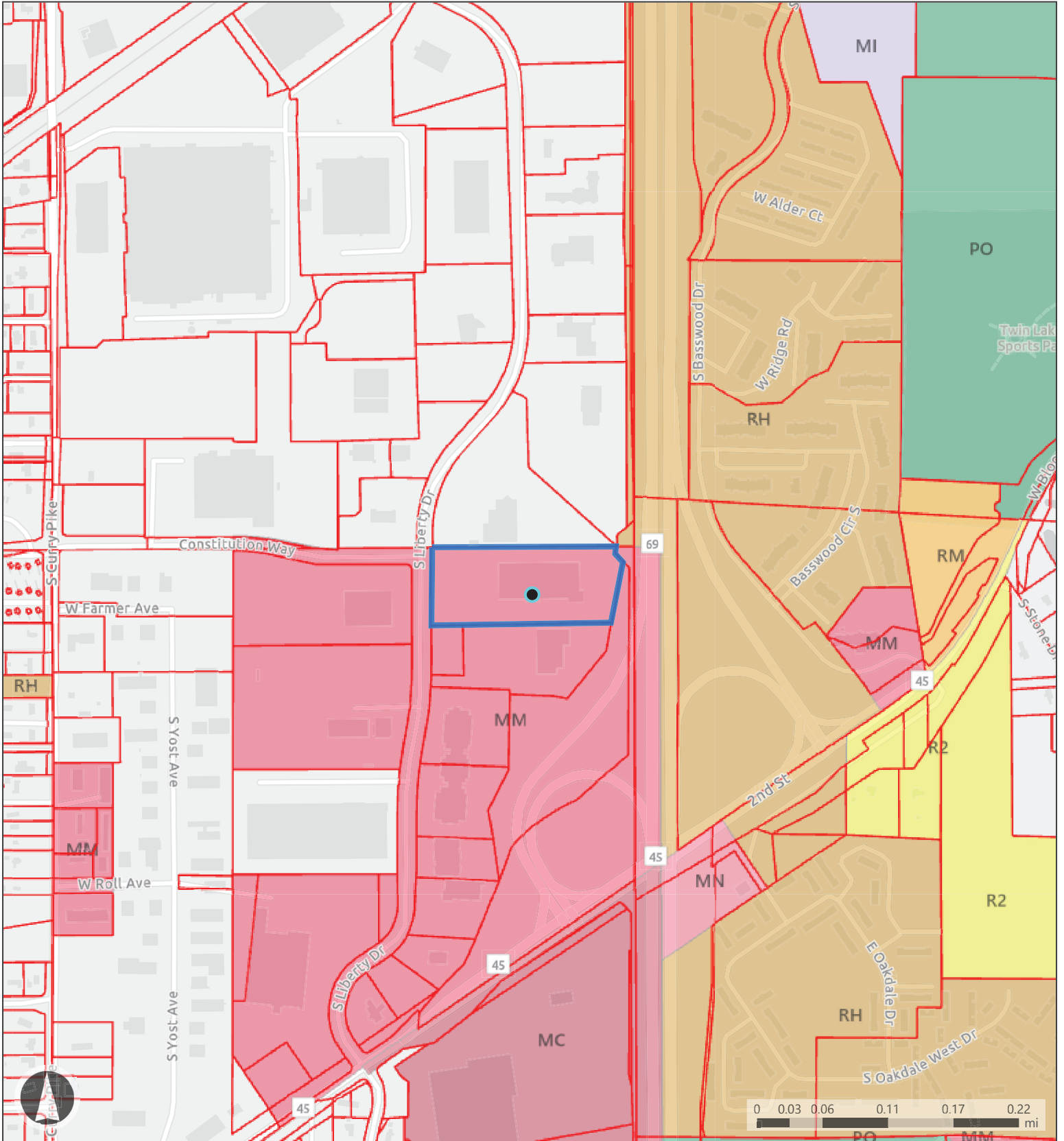
PROPOSED FINDING: The granting of the variance to allow for a drive to be installed closer to the street than the existing front building wall running less than 45 degrees from parallel to the street right-of-way would not affect the use and value of adjacent properties in an adverse manner because the proposed drive location is so far back from the right-of-way and the existing building is not changing. The Department recommends screening the driveway with landscaping. Additionally, the existing parking spaces in front of the front building wall will be removed, which will remove excess asphalt to reduce the impervious surface coverage of the lot.

- (3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in questions; that the development standards variance will relieve the practical difficulties.*

PROPOSED FINDING: The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property by requiring the petitioner to not install an internal drive that accesses the north side of the existing building. The existing size, layout and topography of the parcel are such that access to the north side of the building is limited from the east. Additionally, the redevelopment of the parcel will remove existing excess parking and asphalt. The issuance of the variance relieves the practical difficulty of created by the steep grade on the east side of the building.

RECOMMENDATION: Based upon the report and written findings of fact above, the Department recommends that the Board of Zoning Appeals adopts the proposed findings and approve the requested variance for V-22-23, with the following conditions:

1. The variance for the driveway is approved for the location shown on the plans and cannot be moved closer to the right-of-way.
2. Eleven large trees shall be planted along the length of the driveway that runs north-south, at a separation of approximately 20 feet between trees.



Map Legend

Parcels

Code : Description

R2 : Residential Medium Lot

RH : Residential High-Density Multifamily

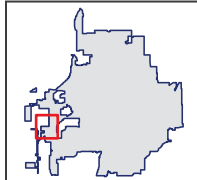
RM : Residential Multifamily

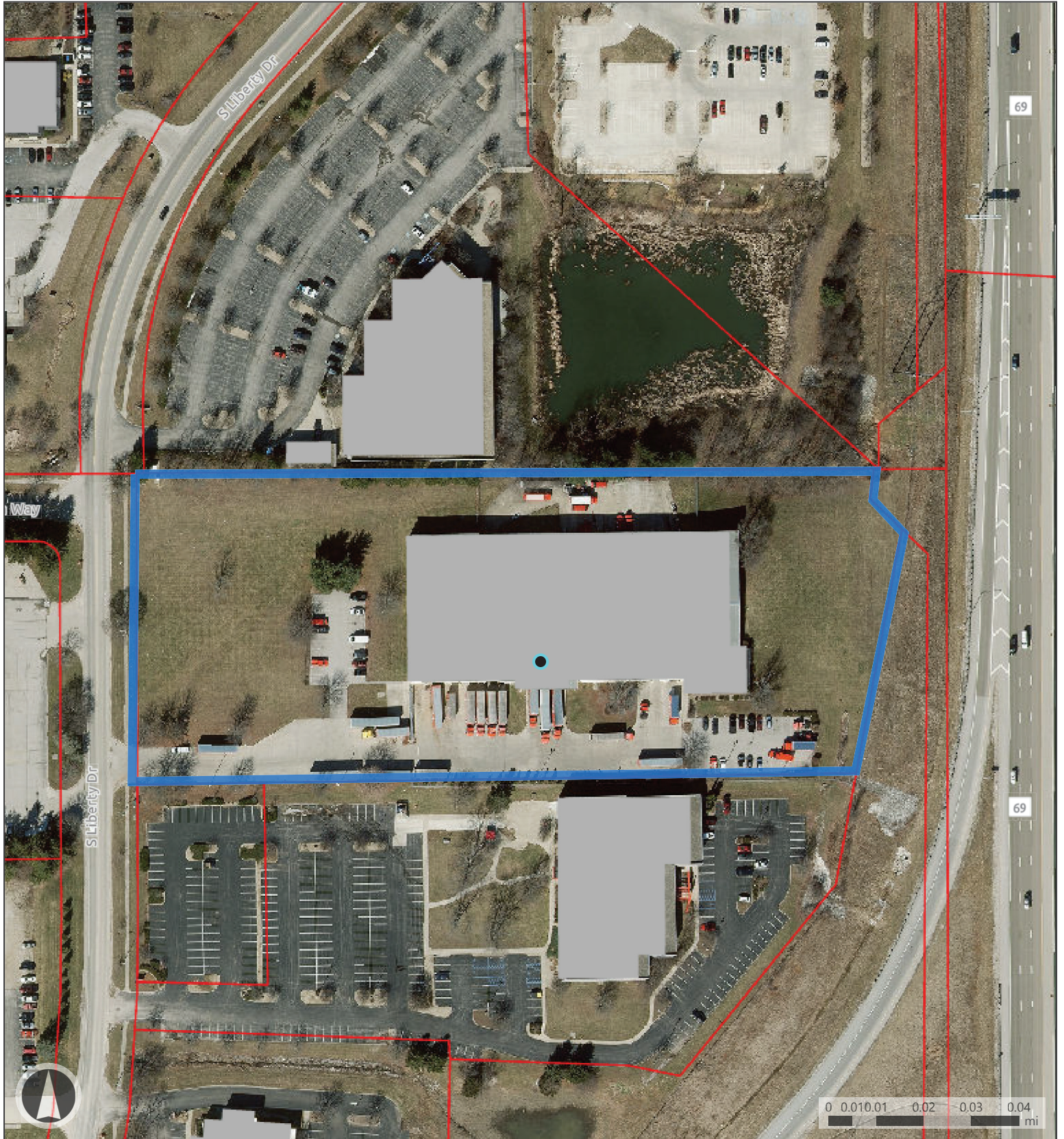
MC : Mixed-Use Corridor

MI : Mixed-Use Institutional

MM : Mixed-Use Medium-Scale

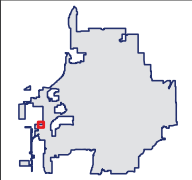
MN : Mixed-Use Neighborhood-Scale





Map Legend

- Parcels
- Buildings



Bledsoe Riggert Cooper James

LAND SURVEYING • CIVIL ENGINEERING • GIS

July 25, 2023

Karina Pazos
Zoning Planner & GIS Analyst
City of Bloomington Planning and Transportation Department
401 N. Morton St., Suite 130
Bloomington, IN 47404

via email: karina.pazos@bloomington.in.gov

Re: True Storage
1701 S Liberty Drive, Bloomington, Indiana
BZA Petitioner's Statement - Parallel Driveway Variance

Dear Karina,

On behalf of the petitioner, True Storage LLC, we respectfully request a hearing at the August, 2023 Board of Zoning Appeals (BZA) meeting for the proposed project which would convert the former Coca-Cola Distribution Center into a self-service storage facility.

During the May 2023 BZA meeting, the project received approval for two variances; one for the ground floor ceiling height, and a second variance for the maximum number of parking spaces. Subsequent review by City Planning and Transportation staff revealed that a third variance is needed from UDO Section 20.04.050.c.2, which states:

"No entrance or drive shall be installed... closer to a street than the existing or proposed front building wall running less than 45 degrees from parallel to the street right-of-way or ingress/egress easement."

The site currently is accessed via a concrete driveway, perpendicular to Liberty Drive. Presently, vehicles may only access the paved area on north side of the building by driving through the building itself. This will no longer be possible after the building is renovated to contain self storage units. At a distance of roughly 225' from the property line, an existing parking lot drive lane turns northward from the entrance drive. All of the parking stalls would be removed from the existing parking area such that only the drive aisle remains. The proposed circulation drive would extend from the end the parking lot drive aisle to allow vehicles to access proposed loading areas on the north side of the building. The resulting driveway will be oriented parallel to Liberty Drive for a distance of roughly 200 feet as it passes around the west end of the building.

The circulation drive is necessary to allow access for renters to access loading areas and storage units on the north side of the facility. True Storage customers must be able to reach their units reasonably, without having to carry their belongings extremely long distances. It is a standard within the storage industry that every unit should be no further than 150' from an entrance point. If access is restricted to the south side of the building, a significant percentage of the units will be challenging to access and very difficult to market & rent.

Reorienting the circulation drive such that it runs at a 45 degree angle is not viewed as an acceptable solution for a number of reasons:

- The junction in the driveway would land less than 10' from the property line, forcing patrons to make an immediate decision upon entering the facility, resulting in increased potential for confusion and collisions.
- The angled driveway junction would result in poor turning movements for vehicles moving between the north loading bay and the business office located on south side of the facility. Drivers would be forced to take exceptionally wide turns, impacting traffic entering and exiting the facility.

True Storage - 1701 S Liberty Drive
BZA Petitioner's Statement - Parallel Driveway Variance
July 25, 2023

Page 2 of 2

- The angled driveway would be significantly longer than the proposed north-south drive orientation, requiring additional removal of serviceable pavements, wasted resources, greater environmental footprint, and increased impact to existing landscaping.

Relocating the circulation drive to the east side of the building would result in significant practical difficulties for the project. Steeper grades on the east side of the building would demand a substantial amount of fill to support driveway construction. Such an alignment may also violating easements associated with existing storm, sanitary, gas, and electrical utilities located on the east side of the building.

The best solution for the project is to repurpose the existing drive aisle to serve as a circulation drive for access to the north side of the building. This solution maximizes positive reuse of existing resources, site improvements, and landscaping. For the reasons cited above, we respectfully request a variance from the provisions of UDO Section 20.04.050.c.2. Thank you for your positive consideration of this project.

Sincerely,



Andrew E Knust, PE
Senior Engineer

ec: Josh Sullivan, True Storage LLC
Bill Riggert, BRCJ
Jackie Scanlan, City of Bloomington Planning & Transportation.

xc: File - Project 11325



PRELIMINARY
NOT FOR
CONSTRUCTION

**TRUE STORAGE
BLOOMINGTON FACILITY**
1701 S. Liberty Drive
Bloomington, IN
BRC Project No: 11265

**SELECTIVE SITE
DEMOLITION PLAN**



| DATE | ISSUE | |
|-----------|--------------------|------------|
| 6/26/2023 | PLAN COMMISSIONING | |
| REV. # | REV. DESCRIPTION | ISSUE DATE |

GENERAL NOTES

A. CONTRACTOR IS REQUIRED TO VERIFY FIELD CONDITIONS AND NOTIFY ENGINEER IMMEDIATELY UPON OBSERVATION OF ANY DISCREPANCIES.

B. THE LOCATION OF UTILITIES SHOWN ARE APPROXIMATE. CONTRACTORS SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO COMMENCING ANY WORK. CONTACT THE INDIANA UNDERGROUND UTILITY SERVICE CENTER (IUCUC) AT 800-445-9347 FOR A COPY OF THE IUCUC MANUAL. CONTRACTOR SHALL MAINTAIN THE CONNECTION OF DOWNWATER FROM ALL EXISTING WELLS AND PUMPS THROUGHOUT THE DEMOLITION PROCESS.

C. CONTRACTOR SHALL MAINTAIN THE CONNECTION OF DOWNWATER FROM ALL EXISTING WELLS AND PUMPS THROUGHOUT THE DEMOLITION PROCESS.

D. THIS PLAN SHOWS THE OVERALL AREA OF DEMOLITION TO ALLOW PROPER PLANNING AND SCHEDULING. CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND RESTORED BY THE CONTRACTOR. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING UTILITIES UNLESS NOTED OTHERWISE.

E. ALL EXISTING UTILITIES SHALL BE PROTECTED THROUGHOUT THE DEMOLITION PROCESS UNLESS NOTED OTHERWISE.

F. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING UTILITIES UNLESS NOTED OTHERWISE.

G. AREAS DISTURBED DURING DEMOLITION, CONSTRUCTION, AND GRADING SHALL BE RESTORED TO ORIGINAL GRADE AND SHALL BE REMOVED TO THE ORIGINAL GRADE UNLESS NOTED OTHERWISE.

H. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DEMOLITION WORK INCLUDING THE REMOVAL OF ALL EXISTING UTILITIES UNLESS NOTED OTHERWISE.

I. CONTRACTOR TO PROTECT ALL EXISTING VEGETATION NOT SCHEDULED FOR REMOVAL.

J. ALL EXISTING CONCRETE ACCESS COVERS SHALL BE SCHEDULED WITH THE OWNER A MINIMUM OF 7 DAYS IN ADVANCE.

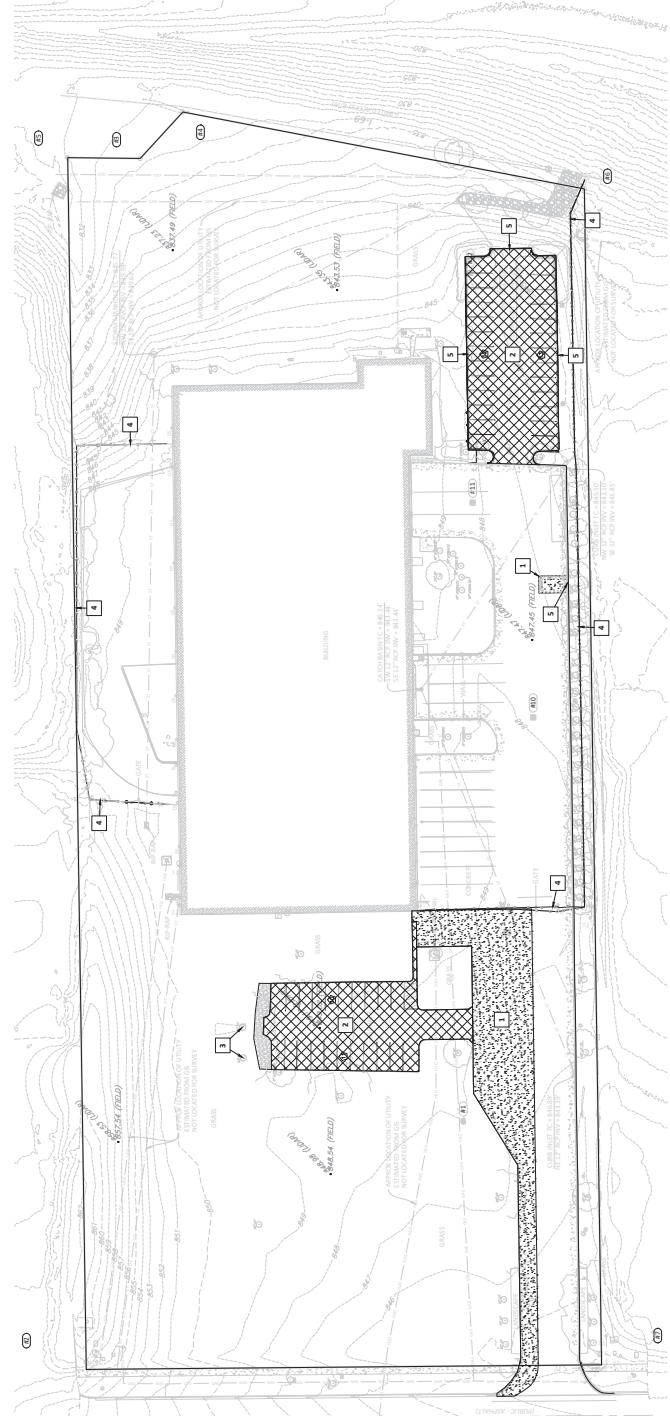
K. ALL EXISTING UTILITIES SHALL BE FLAGGED AS REQUIRED WITH WARNING SIGNS, MARKERS, WITH THE AND SHALL CONFORM TO THE INDIANA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

PLAN NOTES

1. REMOVE EXISTING CONCRETE.
2. REMOVE EXISTING ASPHALT.
3. REMOVE EXISTING FENCE.
4. REMOVE EXISTING CHAINLINK FENCE.
5. REMOVE EXISTING CURB.

LEGEND

- 1. 4" WEL LIGHT
- 2. LIGHT POLE
- 3. UTILITY POLE
- 4. GAS LINE
- 5. WATER MAIN
- 6. SANITARY MAIN
- 7. SEWER MAIN
- 8. FIBER OPTIC
- 9. ELECTRIC MAIN
- 10. MANHOLE
- 11. TANK
- 12. AIR CONDITIONING UNIT
- 13. ROOFING
- 14. ROOFING FLASHING
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UTILITY CONTACTS

UTILITY CONTACTS

ANSI
Rust-Oleum - (812) 334-8273
Rust-Oleum - (812) 334-8273
Rust-Oleum - (812) 334-8273
CITY OF BLOOMINGTON (812) 334-8273
Navy Access - (812) 334-8273
Walt Whit - (812) 334-8273
CONCAST
Sewer Works - (812) 366-8200



GENERAL NOTES

- ALL DIMENSIONS ARE TO FACE OF CURB, POINT OF TERMINITY, EDGE OF PAVEMENT, EDGE OF SIDEWALK, OR FACE OF CURB, UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO FACE OF CURB, UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO FACE OF CURB, UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO FACE OF CURB, UNLESS OTHERWISE NOTED.
- CONTRACTOR IS REQUIRED TO VERIFY FIELD CONDITIONS AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO BEGINNING WORK.
- CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO BEGINNING WORK.
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SITE CHARACTERISTICS

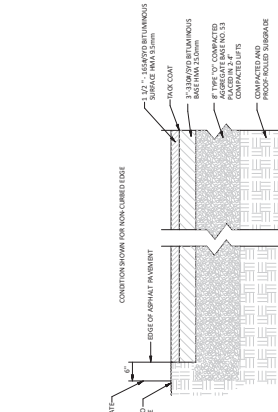
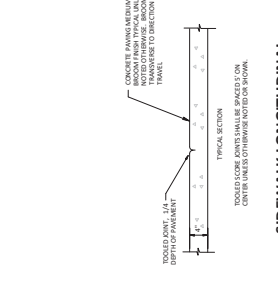
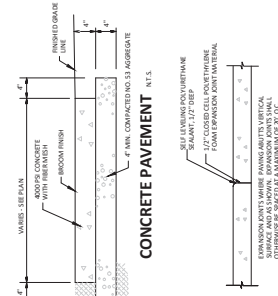
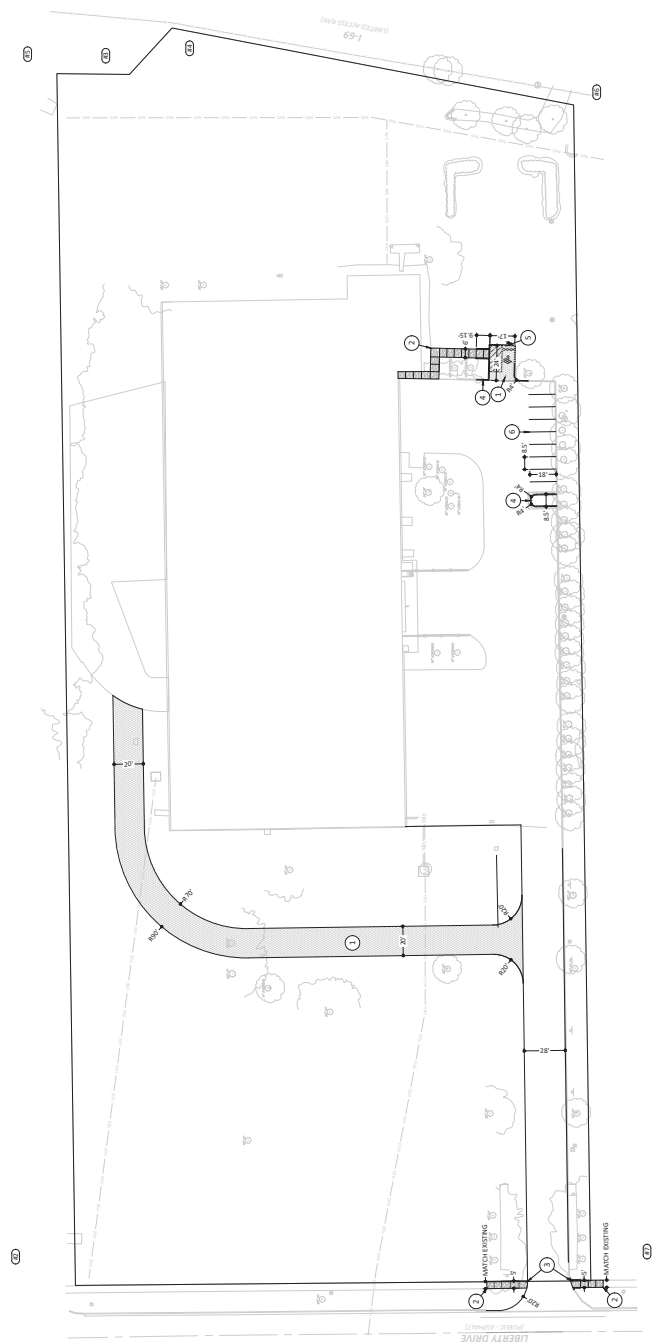
EXISTING PROPERTY: 392,572 SF = 6.72 ACRES
 PRE-PROJECT IMPERVIOUS: 1,32,880 SF
 IMPERVIOUS % = 45%
 POST-PROJECT IMPERVIOUS: 1,21,883 SF
 IMPERVIOUS % = 42%
 TOTAL LAND DISTURBANCE: 34,880 SF = 0.80 ACRES

PLAN NOTES

- ASPHALT PAVEMENT - REFER TO DETAIL 1.000L
- CONCRETE SIDEWALK 4" THICK - REFER TO DETAIL 3.000L
- ADA CURB RAMP - REFER TO DETAIL 3.000L
- STANDING CONCRETE CURB - REFER TO DETAIL 4.000L
- ADA COMPLIANT PARKING SPACE - INCLUDES PAVEMENT MARKING, 4" WIDE CURB, 5' CLEARANCE, 20' WHEEL STOP, CONCRETE WHEEL STOP AND ACCESSIBLE SURF - REFER TO DETAIL 4.000L
- PAVEMENT MARKING: 4" WIDE WHITE PAINT - AUTO PARKING.

LEGEND

- LIMITS OF NEW ASPHALT PAVEMENT
- LIMITS OF NEW 4" THICK CONCRETE PAVEMENT
- PAVEMENT STRIPING 2" O.C.
- LIMITS OF ASPHALT CONCRETE PAVEMENT REMOVAL



CONCRETE SIDEWALK N.T.S.

CONCRETE SIDEWALK N.T.S.

ASPHALT PAVEMENT N.T.S.

2

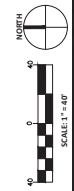
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PRELIMINARY
NOT FOR
CONSTRUCTION

**TRUE STORAGE
BLOOMINGTON FACILITY**
1701 S. Liberty Drive
Bloomington, IN
BRCJ Project No. 11235
SITE GRADING PLAN



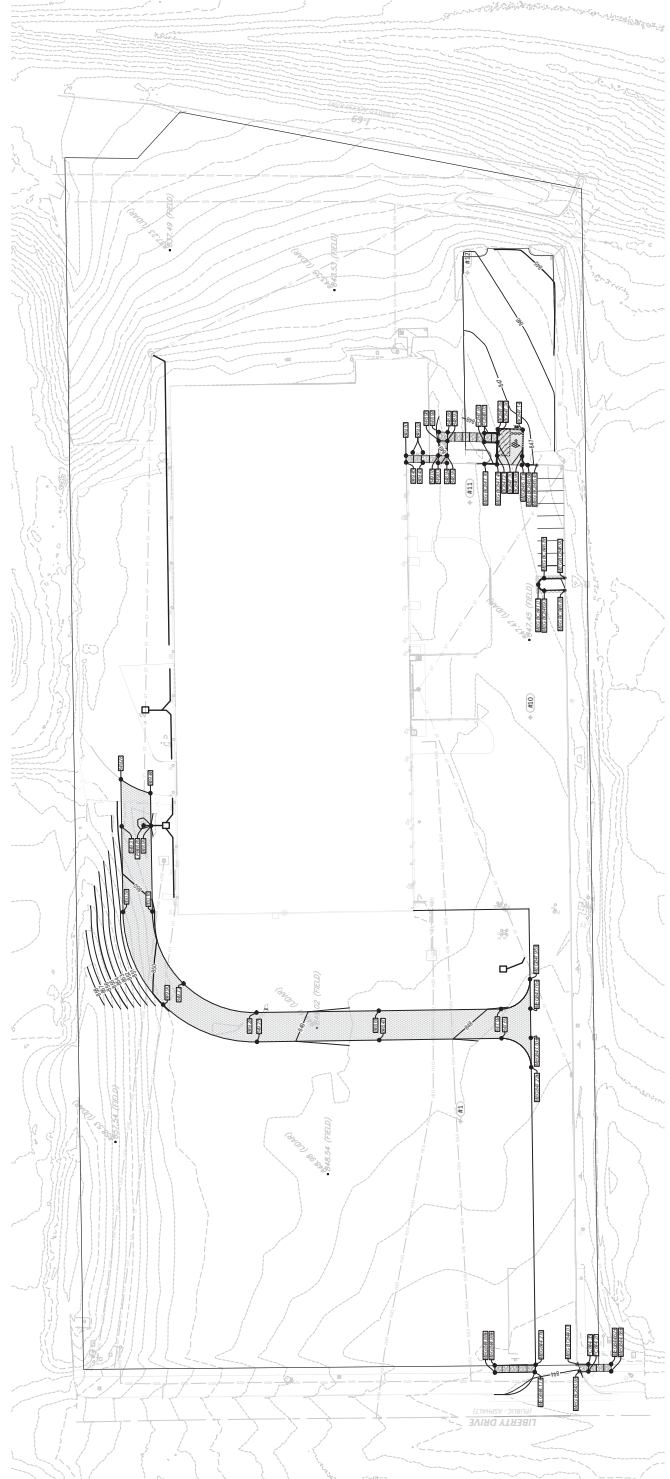
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C501

Drawn By: AEX
Designed By: AEX
Checked By: WSI

- GENERAL NOTES**
- GRADE SHALL BE TO THE FINISH GRADES SHOWN.
 - CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES AND ADJUST GRADES TO CLEARANCE OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 - INSTALL LAND MANAGEMENT EROSION CONTROL DEVICES AS REQUIRED AND MAINTAIN NECESSARY TO CONTROL SEDIMENT.
 - CONTRACTOR SHALL PREVENT SURFACE WATER AND GROUND WATER FROM FLOODING PROJECT SITE AND SURROUNDING AREAS. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION. EROSION CONTROL MEASURES SHALL REQUIRE SUPPLEMENTAL GRASSING AND SOIL STABILIZATION TO PREVENT EROSION.
 - CONTRACTOR SHALL ADJUST ALL CASTINGS TO FINISH GRADE.
 - CONTRACTOR SHALL ESTABLISH FINISH GRADES TO ENSURE POSITIVE DRAINAGE WITH NO POONDING.
 - CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES AND ADJUST GRADES TO CLEARANCE OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 - SPOT GRADES GIVEN AT THE FACE OF CURBS INDICATE PAVEMENT EDGE CURBS. WALL ELEVATIONS INDICATE WHERE FINISH GRADE AND WALL MEET.
 - ALL SLOPES 3:1 OR GREATER TO BE COVERED WITH NORTH AMERICAN GREEN MANUFACTURER'S INSTRUCTIONS.



- LEGEND**
- PROPOSED CONTOURS
 - EXISTING CONTOURS
 - SPOT ELEVATION
 - MATCH EXISTING GRADE
 - MS MATCH EXISTING GRADE
 - TW TOP OF WALL
 - BT BOTTOM OF WALL LEFT FINISH GRADE ELEVATION
 - TS TOP OF SLOPE ELEVATION (3:1 SLOPE, 4:1 SLOPE, 6:1 SLOPE)
 - BS BOTTOM OF SLOPE ELEVATION (3:1 SLOPE, 4:1 SLOPE, 6:1 SLOPE)
 - FC FLUSH CURB - CURBS IN FULLY DEPRESSSED CONDITION
 - TC TOP OF CURB - PROVIDED ONLY WHEN CURB IS IN AN UNDEPRESSSED CONDITION
 - TS TOP OF BANK
 - LIMITS OF ASPHALT PAVEMENT
 - LIMITS OF CONCRETE PAVING



PRELIMINARY
 NOT FOR
 CONSTRUCTION

**TRUE STORAGE
 BLOOMINGTON FACILITY**
 1701 S. Liberty Drive
 Bloomington, IN
 BRCJ Project No. 11235
SITE UTILITIES PLAN



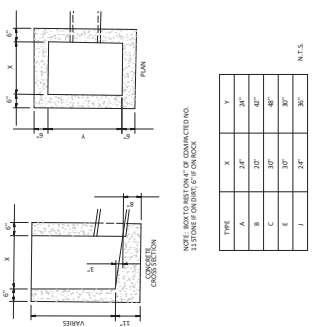
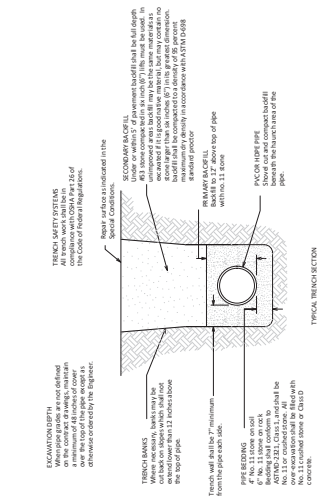
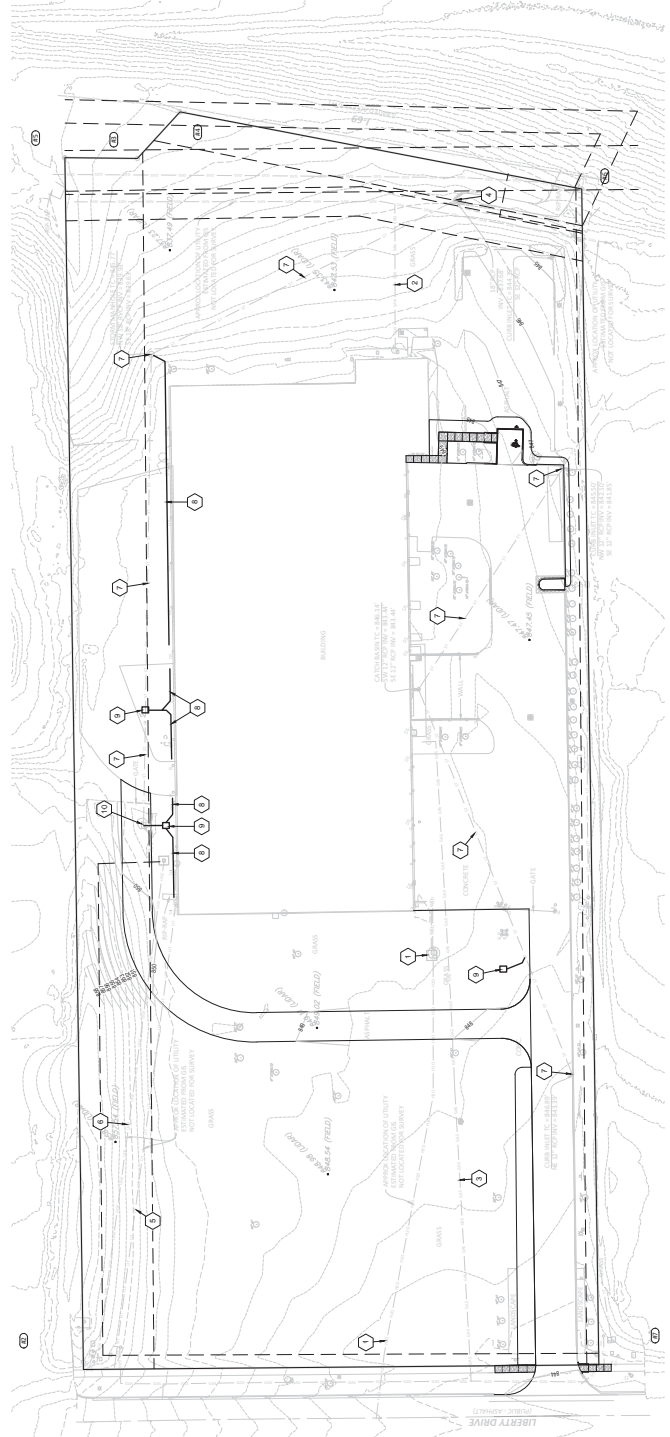
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GENERAL NOTES

- A. THE LOCATION OF ALL UTILITIES SHALL BE DETERMINED BY FIELD SURVEY AND SHALL BE SHOWN ON THIS PLAN.
- B. CONTRACTOR SHALL BE RESPONSIBLE FOR CUTTING AND PATCHING AS REQUIRED TO REPAIR EXISTING UTILITIES.
- C. CONTRACTOR SHALL MAINTAIN EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- D. ALL UTILITIES SHALL BE MAINTAINED AND SHALL NOT BE DISRUPTED BY THE CONSTRUCTION OF THIS PROJECT.
- E. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- F. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- G. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- H. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- I. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- J. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
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- U. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- V. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- W. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- X. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- Y. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.
- Z. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL UTILITIES IN THE WORK AREA.

PLAN NOTES

1. EXISTING PRIVATE WATER SERVICE AND WATER - TO REMAIN.
2. EXISTING PRIVATE SEWER LATERAL - TO REMAIN.
3. EXISTING PRIVATE STORM DRAIN - TO REMAIN.
4. EXISTING PRIVATE STORM DRAIN - TO REMAIN.
5. EXISTING ELECTRICAL SERVICE - TO REMAIN.
6. EXISTING COMMUNICATIONS SERVICE - TO REMAIN.
7. EXISTING ELECTRICAL SERVICE - TO REMAIN.
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BEDDING AND BACKFILL FOR PVC AND HDPE PIPE - N.T.S.

STORM INLET DETAIL - N.T.S.



FOR MORE INFORMATION CONTACT
 INDIANA 811 AT 1-800-362-5544
 OR VISIT US AT WWW.INDIANA811.COM
 OR CALL US AT 1-800-362-5544
 WE ARE HERE TO HELP YOU GET THE JOB DONE RIGHT THE FIRST TIME.

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 300 E. 6th Street

CASE #: V-24-23
DATE: August 24, 2023

PETITIONER: David Hays
8301 S. Anne Avenue, Bloomington, IN

CONSULTANTS: Doug Bruce
1101 S. Walnut Street, Bloomington

REQUEST: Variance from use specific standards to allow ground floor dwelling units within 20' of the first floor façade within the Mixed-Use Downtown in the Downtown Core Overlay (MD-DCO).

REPORT: The 9,583 sq. ft. property is located at the northwest corner of N Morton St. and W 6th St. and is zoned Commercial Downtown (CD), within the Downtown Core Overlay (DCO) district. Surrounding land uses include mixed-use buildings to the north and south, a commercial use to the west, and mixed-use and the Morton Street Garage to the east. The B-Line Trail runs along the property's west property line. The current structure is designated as a contributing local historic structure.

The property has been developed with a one-story, mixed-use building on the south portion of the site and a two-story, residential building on the north portion of the site that was constructed in 2019 (SP-28-19) with 16 units. The building on the south portion of the site has been developed with 2 ground floor units and a commercial space. A building permit (CZC-2023-0266) has been applied for to remodel the commercial space for a new dentist office.

The petitioner is requesting a variance from the use specific standards to allow a portion of the existing space to be converted into a new ground floor dwelling unit. No changes to the exterior of the building are proposed and the unit would be accessed from an interior hallway and door on the north side of the building. The proposed residential unit would directly front on Morton Street and would be within 20' of the front façade of the building. Section 20.03.030(b)(5)(D)(ii) states that in the MD zoning district, each dwelling unit located on the ground floor shall be located at least 20 feet behind each building façade facing a public street.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE
20.06.080(b)(3)(E) Standards for Granting Variances from Development Standards:

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PROPOSED FINDING: The granting of the variance will not be injurious to the public health, safety, morals, or general welfare of the community. There will be no impact to the

overall safety in the design of the building with the granting of this variance.

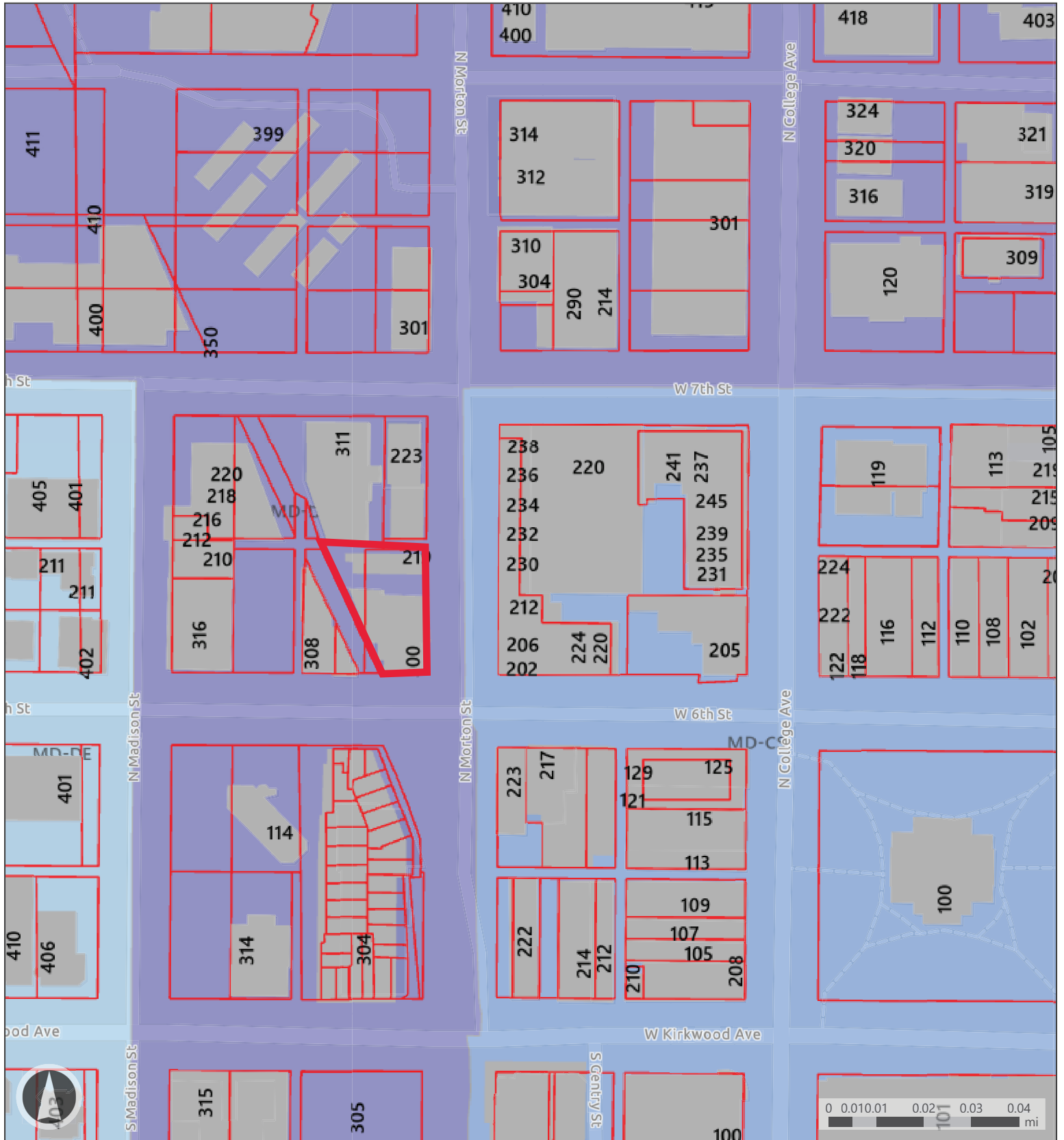
- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

PROPOSED FINDING: While no direct adverse impacts to the use and value of surrounding properties as a result of the requested variance are found, the presence of the ground floor unit does detract from the overall pedestrian experience that was desired by the UDO with the requirement that residences be located 20' behind the façade. The intent of this regulation is to create active, nonresidential space along the portions of a building immediately adjacent to the sidewalk and pedestrian area. The location of a residence immediately adjacent to the sidewalk does not provide the desired pedestrian experience within the Downtown that is desired by the UDO and adopted policies.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

PROPOSED FINDING: The Department does not find that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as the ground floor of the building, including this location, has always had commercial space and met all of the requirements of the UDO. There do not appear to be any practical difficulties that are peculiar to the property in question that prevent a nonresidential use from occupying this space. In addition, the petitioner has applied for a permit to remodel the ground floor for a new commercial tenant and has excluded this proposed space from that plan for the proposed new unit. There is space within the building that new residences could be added and meet the 20' setback requirement from the front facade as required.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and deny V-25-23.

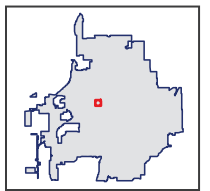


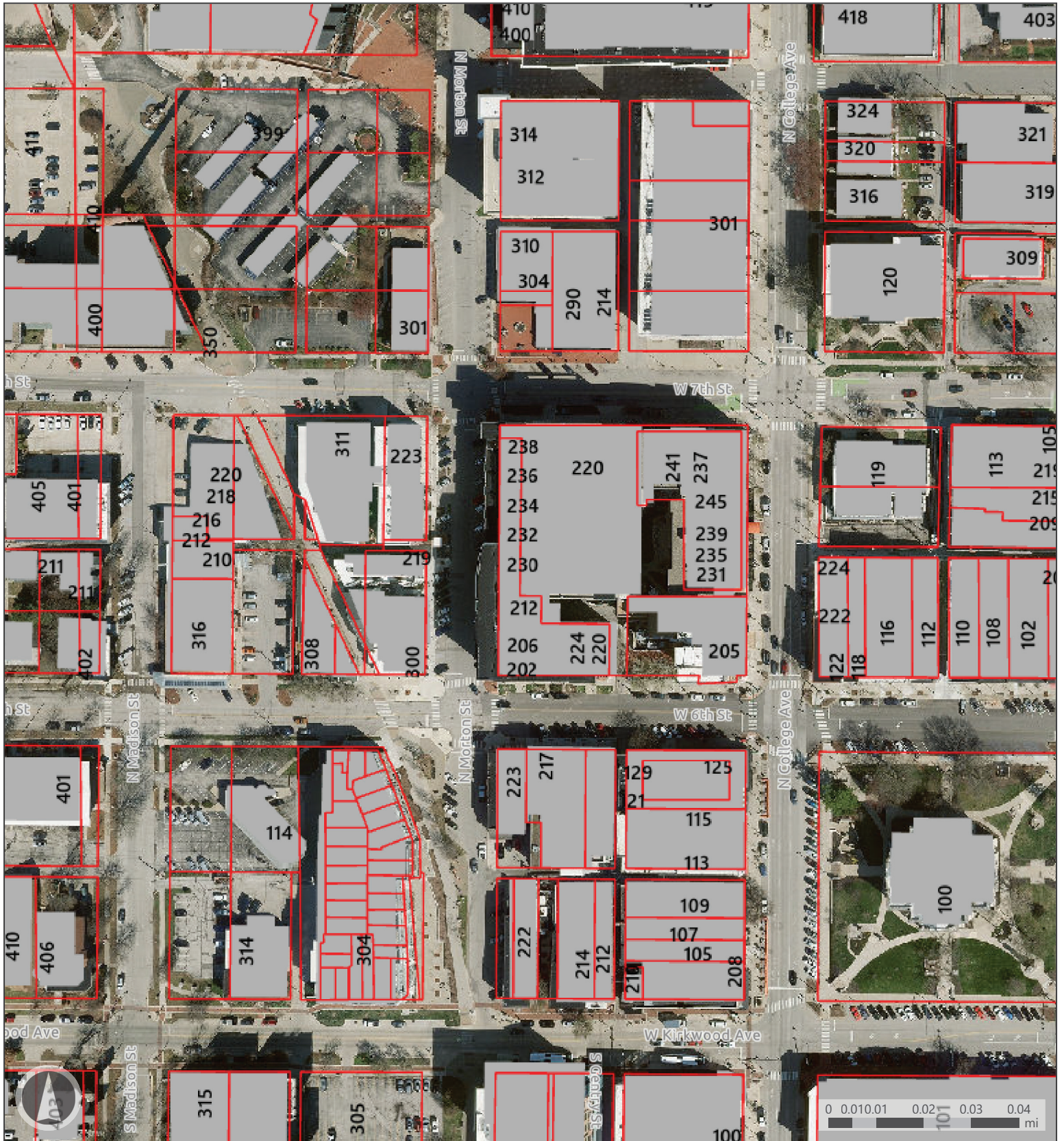
Map Legend

- Parcels
- Buildings

Code : Description

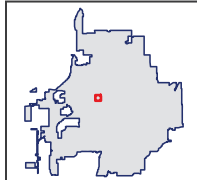
- MD-CS : Mixed-Use Downtown Courthouse Square
- MD-DC : Mixed-Use Downtown Downtown Core

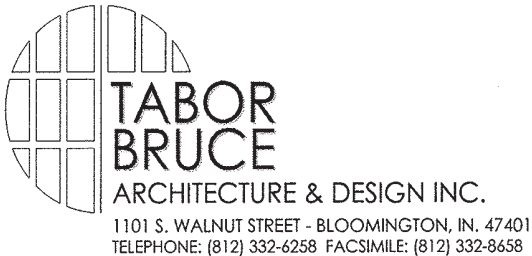




Map Legend

- Parcels
- Buildings





July 8, 2023

Re: Smith & Hays LLC, 300 West 6th St petitioner statement

To the City of Bloomington Plan Commission:

The Petitioner is seeking waiver from the UDO requirement for a 20-foot street front setback for ground floor residential units in the MD zone. (20.03.030)(b)(5)(d) ii).

The existing Hays Market has long been a historic structure and important piece in the fabric of downtown Bloomington over its long 100-year history. Recent years, with covid and more office workers working from home, the ground floor commercial space has been vacant. With these vacant office spaces becoming more and more common, we are proposing to add two ground floor residential apartment units within the existing building footprint. Even with the addition of these two units, the total ground floor residential use will be just less than 50% of the total existing commercial space available for lease.

We would like to address the General Approval Criteria as outlined in the current UDO.

- (a) The approval will not be injurious to the public health, safety, morals, and general welfare of the community

The proposed use does not change any of the exterior character of the existing historic building, and no new openings or infill measures will be needed.

- (b) The use and value of the area adjacent to the property included in the development standards variance will not be affected in a substantially adverse manner.

The proposed use is consistent with nearby uses-which include a condominium structure, parking garages, and other residential uses. While many area structures also have office space or retail spaces, many of those spaces too, are vacant as well. This proposal seeks to add additional housing units where other nearby housing units already exist-adding density where it is useful and this proposal has the required parking to support the two additional units.

- (c) The strict application of the terms of this UDO will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the development standards variance will relieve the practical difficulties.

1101 S Walnut St. Bloomington, IN 47401 812-332-6258 www.taborbruce.com

There are a few practical difficulties with this site.

1-The structure is an existing historical structure. New openings, or windows or doors are limited to openings that currently exist. In this regard, the existing openings are not the usual floor to transom size new storefront and commercial buildings use for better visibility of merchandise. This use is not enlarging any of the existing window or door openings.

2-The Existing entrance to be utilized for these two proposed ground floor units is an existing entrance door that was designed for this area of the floor plan to be apartment uses. It is only accessible from a locked gate/courtyard that was created in 2019, before this change requiring a 20-foot setback to the UDO existed. This courtyard connects the additional detached structure that was constructed in 2020 and it also contains ground floor residential units which also sit at the eastern property line.

3-The building is an existing building which has been designed and utilized for years with a corner entry for the main entry at Morton and 6th. The sidewalk at the main entry is wide, inviting, and ADA accessible. The particular difficulty this existing building also faces, is that the sidewalk along Morton street is not typical of most sidewalks for commercial spaces, let along the area along Morton Street. Along Morton Street, the sidewalk is only xx feet wide. There are city of Bloomington parking spaces and associated parking meters as well, these meters are only 5 feet from the building face and not accessible to most ADA requirements for any possible commercial entry. Almost all pedestrian friendly sidewalks in our downtown are much wider, or inviting with benches and tree plots.

A little bit of background and history of the Hays Market structure. The Hays Market was founded in 1941 by James (Jimmy) D Hays, the great grandfather of David Hays, the current owner and petitioner.

The market moved from the now Blooming foods Building to the 6th Morton location in the early 1950's. Jimmy Hays died suddenly of a heart attack in the early 1970's and the Store continued as a family run business until it's closure in 1996. David's great Aunt Mary, uncle Paul and his own grandfather, "Young Jimmy" ran the first "super market" in Bloomington. David's grand dad died in the early 1980's and uncle Paul in the late 80's. Then Mary ran the market until it closed.

Tim Henke purchased the building and renovated it and leased it to Irwin Union Bank. David Hays approached Tim about purchasing the building around 2000 and shortly after, brought the building back into the family. David has the famous T shaped Hays Market Sign in ceiling of this basement, that hung on the building for so many years.

David restored the building and gave it a very nice renovation and much needed face lift to the downtown area in 2020. CASA was on the bottom floor, apartments on the top floor and the new Q tower apartment structure that enclosed a courtyard at the north side of the building was built. David met with Mayor Hamilton and others before he started this renovation in 2019 and the mayor was quoted to say "we have too much empty retail space, I don't care about that any longer, we want density" So David undertook construction of the renovation and the apartment tower, which is all residential, with residential even on the bottom floor and it sits right up against the street.

Historic buildings are governed with more strict regulations with regards to exterior opening changes that new construction is not bound to meet. With these restrictions, and the 2019 plan/design for this to be a residential area with access from the north courtyard access, we ask for you to grant this variance request and relief from the strict application of the UDO.

Sincerely,



David Hays
Petitioner

A RENOVATION TO THE FIRST FLOOR OF THE:

HAYS MARKET BUILDING

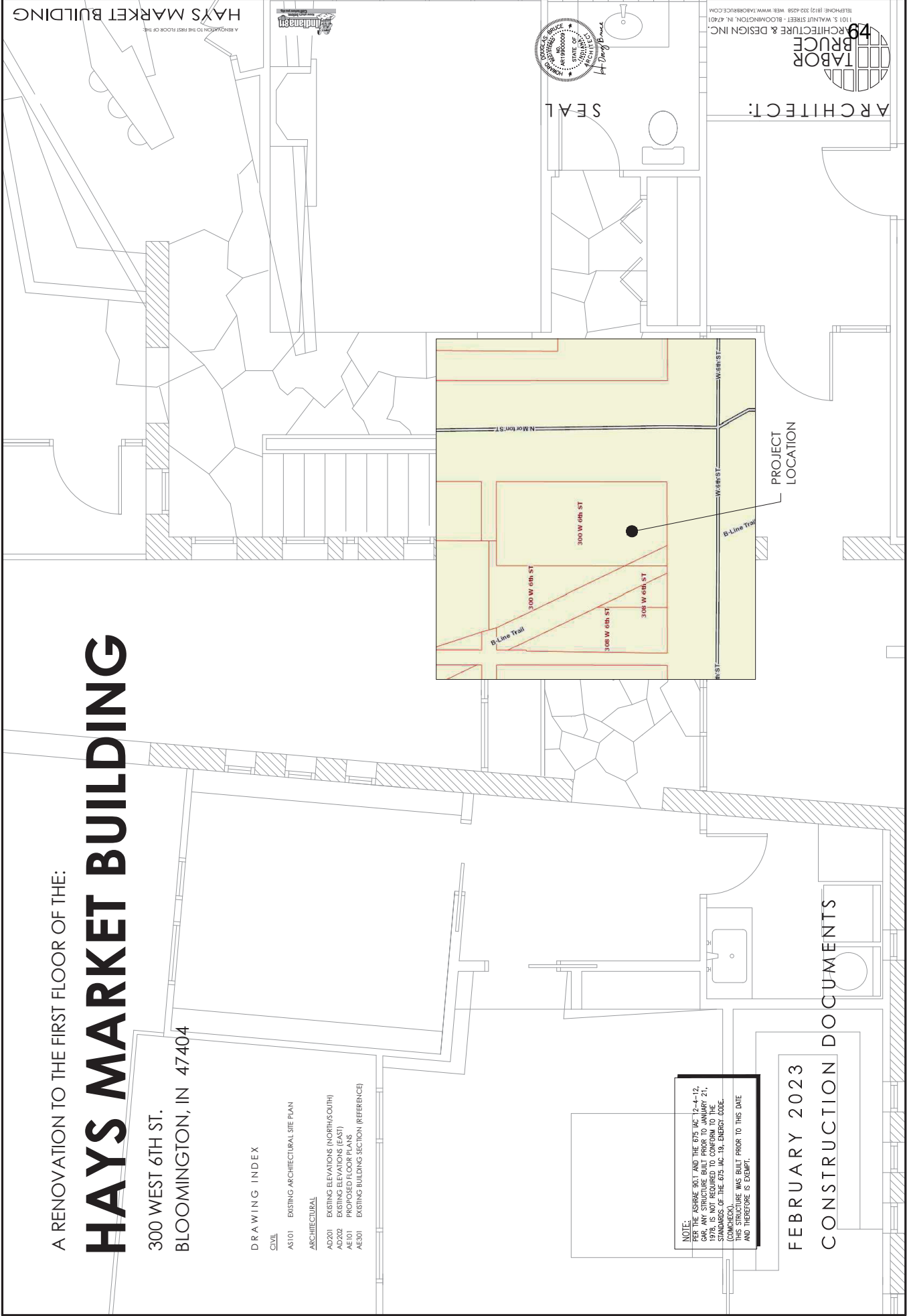
300 WEST 6TH ST.
BLOOMINGTON, IN 47404

DRAWING INDEX

- CIVIL
 - AS101 EXISTING ARCHITECTURAL SITE PLAN
- ARCHITECTURAL
 - AD201 EXISTING ELEVATIONS (NORTH/SOUTH)
 - AD202 EXISTING ELEVATIONS (EAST)
 - AE101 PROPOSED FLOOR PLANS
 - AE301 EXISTING BUILDING SECTION (REFERENCE)

NOTE:
 PER THE IASHRAE 90.1 AND THE 675 IAC 12-4-12, 604, ANY STRUCTURE BUILT PRIOR TO JANUARY 21, 2009, IS REQUIRED TO COMPLY TO THE STANDARDS OF THE 675 IAC-12, ENERGY CODE (COMBEC). THIS STRUCTURE WAS BUILT PRIOR TO THIS DATE AND THEREFORE IS EXEMPT.

FEBRUARY 2023
CONSTRUCTION DOCUMENTS



LABOR ARCHITECTURE & DESIGN INC.
 1101 S. WALNUT STREET - BLOOMINGTON, IN 47401
 TELEPHONE (812) 332-4258 WEB: WWW.LABORARCHITECT.COM



HAYS MARKET BUILDING



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 1101 S. WALNUT STREET - BLOOMINGTON, IN 47401
 TEL: (317) 332-4258 FAX: (317) 332-4258 WWW.TABORAD.COM

REVISIONS

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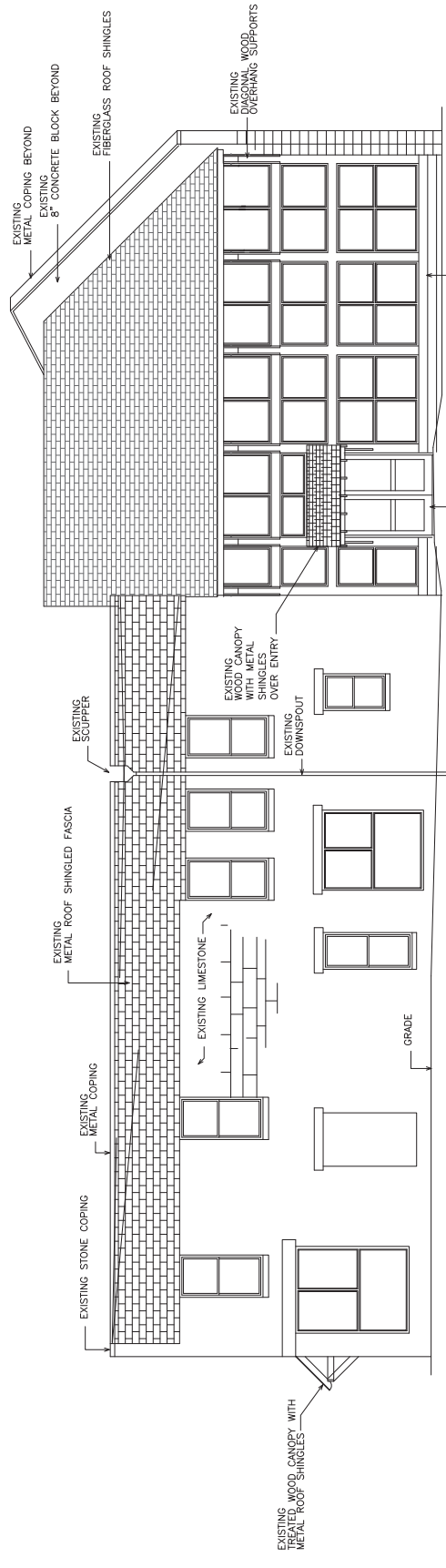
HAYS MARKET
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A RENOVATION FOR:

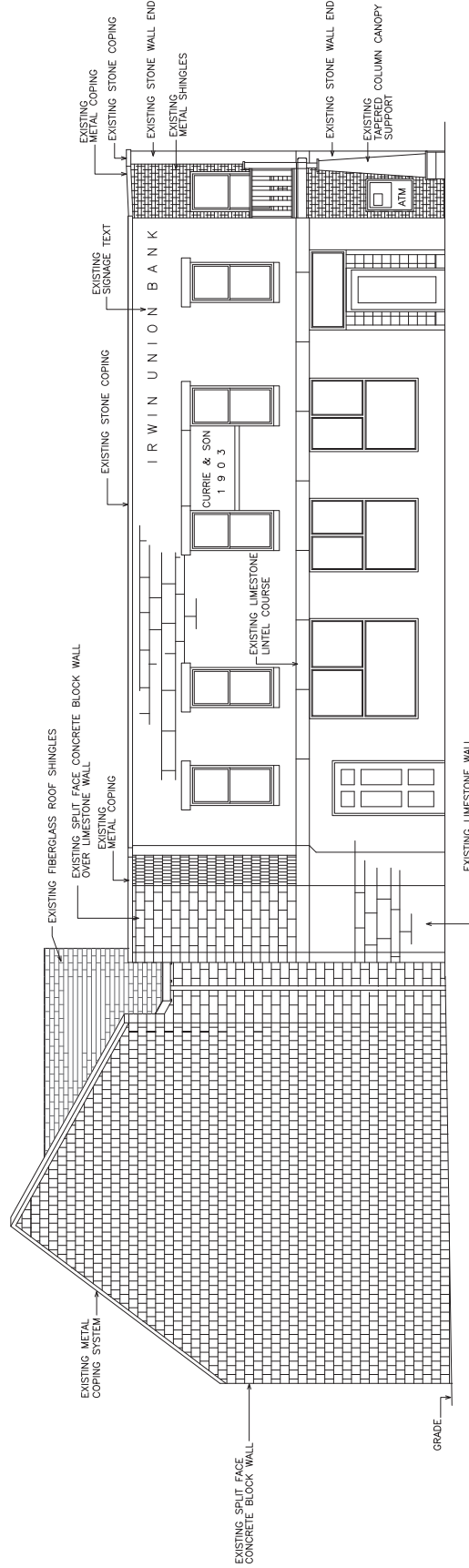
PROJECT NO. 3229
 DATE: FEBRUARY 6, 2023
 DRAWN BY: J. MATHIAS
 CHECKED BY: D. BRUCE
 SHEET NAME: EXTERIOR ELEVATIONS
 SHEET NO. AD2081

PROJECT NO. 3229
 DATE: FEBRUARY 6, 2023
 DRAWN BY: J. MATHIAS
 CHECKED BY: D. BRUCE
 SHEET NAME: EXTERIOR ELEVATIONS
 SHEET NO. AD2081

AD2081



2 NORTH EXTERIOR ELEVATION
 1/8" = 1'-0"



1 SOUTH EXTERIOR ELEVATION
 1/8" = 1'-0"

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1101 S. WALNUT STREET - BLOOMINGTON, IN 47401
 TEL: (317) 332-4258 FAX: (317) 332-4259 WWW.TLABORARCH.COM

TLABOR ARCHITECTURE & DESIGN INC.

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HAYS MARKET
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 BLOOMINGTON, INDIANA 47404

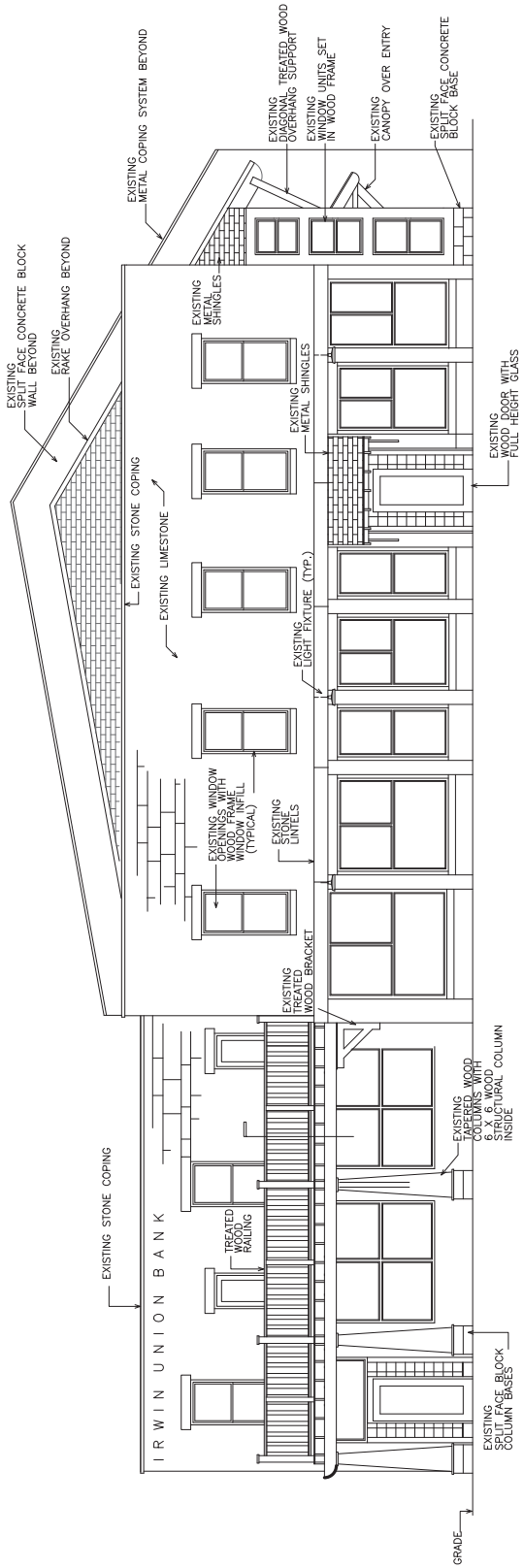
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Professional Seal:
 ARCHITECT
 No. 411900009
 State of Indiana
 David Hays

PROJECT NO. 3222
 DATE FEBRUARY 6, 2023
 DRAWN BY T. MATTHEW
 CHECKED BY D. BRUCE

SHEET NAME
EXTERIOR ELEVATIONS
 SHEET NO.

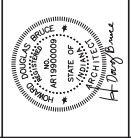
AD202



1 EAST EXTERIOR ELEVATION
 1/4" = 1'-0"

REVISIONS

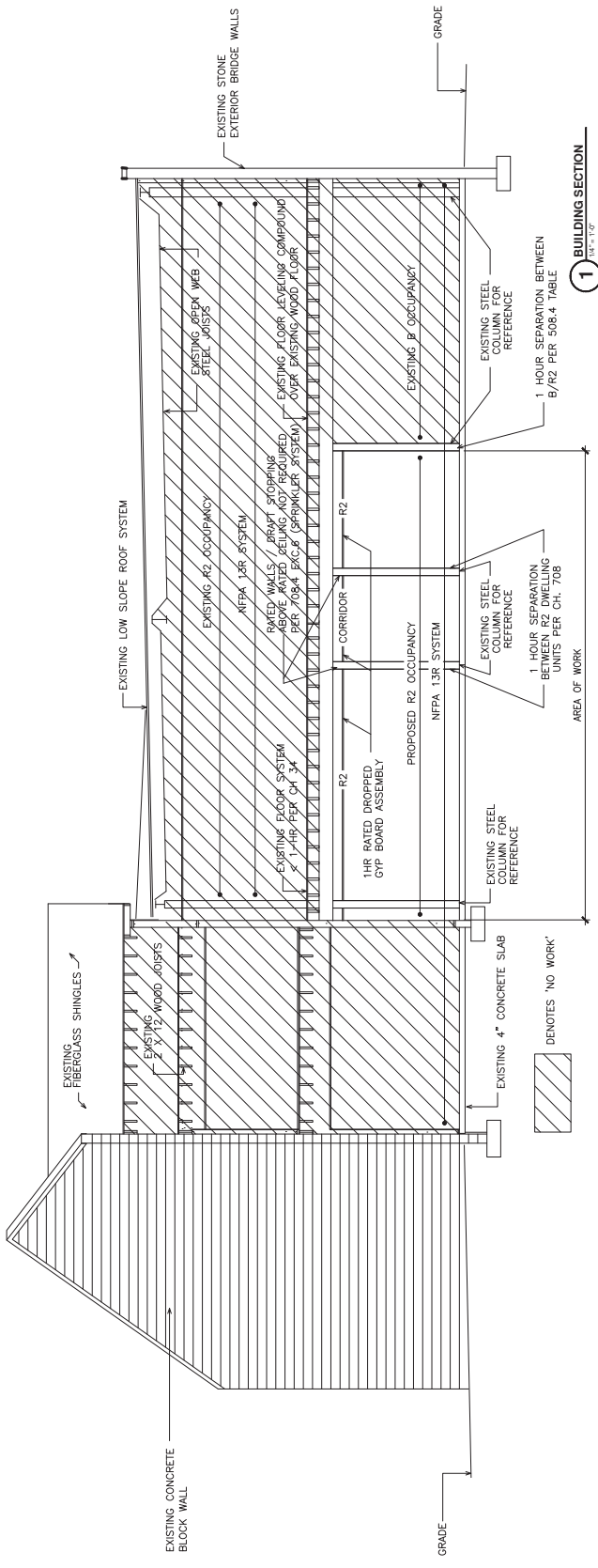
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 CHECKED BY: D. BRUCE
 SHEET NAME:

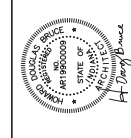
EXISTING BUILDING SECTION (FOR REF)
 SHEET NO.

AE301



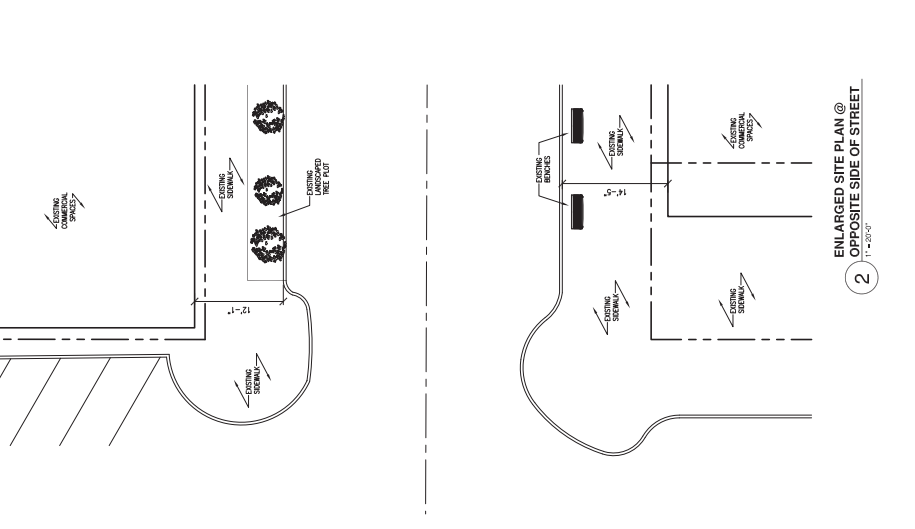
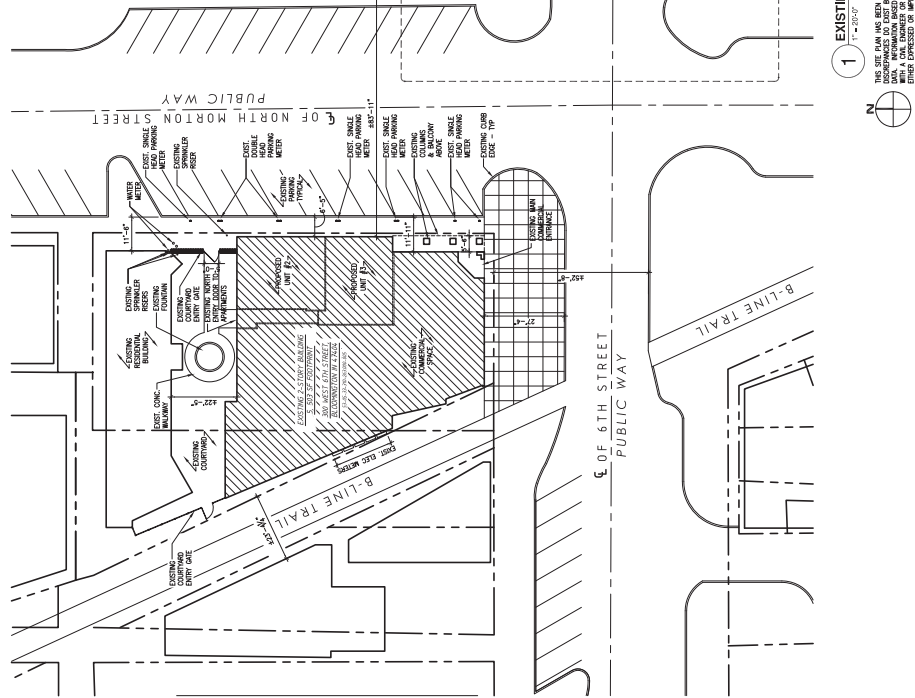
1 BUILDING SECTION
 1/4" = 1'-0"

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- UTILITY NOTES:**
1. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY DATA. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. SEE DRAWINGS & SPECIFICATIONS FOR SIZES OF WATER SERVICE LINES AND OTHER MATERIALS NOT SPECIFICALLY NOTED ON THE PLANS.
 3. ALL EXISTING SANITARY MAINS SHALL BE CUT AND RELETED IN PLACE BY THE CITY OF BLOOMINGTON. UNLESS OTHERWISE NOTED, THE CITY OF BLOOMINGTON WILL BE RESPONSIBLE FOR THE COST OF ALL SANITARY MAINS CUT AND RELETED IN PLACE. THE CITY OF BLOOMINGTON WILL BE RESPONSIBLE FOR THE COST OF ALL SANITARY MAINS CUT AND RELETED IN PLACE. THE CITY OF BLOOMINGTON WILL BE RESPONSIBLE FOR THE COST OF ALL SANITARY MAINS CUT AND RELETED IN PLACE.
 4. WHEN CONNECTING A NEW PIPE TO AN EXISTING MAIN, THE MAIN SHALL BE CORROSION-RESISTANT. THE MAIN SHALL BE CONNECTED TO THE MAIN NEAREST TO THE PROJECT. THE MAIN SHALL BE CONNECTED TO THE MAIN NEAREST TO THE PROJECT. THE MAIN SHALL BE CONNECTED TO THE MAIN NEAREST TO THE PROJECT.
 5. ALL UTILITIES SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER. ALL UTILITIES SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER. ALL UTILITIES SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.
 6. WHEREVER 1500 PSI PIPE IS USED FOR SERVICE, ALL WELDS SHALL BE WELDED TO THE MAIN AND 1500 PSI ON THE BRANCH.
 7. ALL UTILITIES SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER. ALL UTILITIES SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER. ALL UTILITIES SHALL BE PROTECTED BY A MINIMUM OF 18" OF COVER.
 8. A PERMANENT INDICATING VALVE IS TO BE INSTALLED 12" ABOVE THE FLOOR AT THE TERMINATING POINT. THIS VALVE WILL BE INSTALLED TO THE MAIN AND SHALL BE INSTALLED TO THE MAIN AND SHALL BE INSTALLED TO THE MAIN.
 9. ALL PROJECTS WILL REQUIRE A PRE-CONSTRUCTION MEETING WITH THE CITY OF BLOOMINGTON PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR AND/OR DEVELOPER MUST CONTACT THE UTILITIES TECHNICAL STAFF AT (317) 341-3833 TO SCHEDULE A MEETING.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BLOOMINGTON AND THE INDIANAPOLIS WATER WORKS DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BLOOMINGTON AND THE INDIANAPOLIS WATER WORKS DEPARTMENT.

- SITE UTILITIES CONTACT INFORMATION:**
- **COMETS:**
 1200 SOUTH ST. PH. 812-330-9122
 www.cometsinc.com
 - **ADM:**
 1200 SOUTH ST. PH. 812-330-9122
 www.adm.com
 - **CITY OF BLOOMINGTON WATER & SEWER:**
 1000 W. WASHINGTON ST. PH. 317-341-3833
 www.bloomingtonin.gov
 - **DUKE ENERGY:**
 1000 W. WASHINGTON ST. PH. 317-341-3833
 www.dukeenergy.com
 - **INDIANAPOLIS WATER WORKS DEPARTMENT:**
 1000 W. WASHINGTON ST. PH. 317-330-4031
 www.indianapoliswater.com
- SITE LAYOUT NOTES:**
- ALL DIMENSIONS SHOWN ARE IN FEET.
 - ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF FINISH (F.O.F.).
 - DIMENSIONS MUST BE CONNECTED TO AN UNDERGROUND STORM WATER SYSTEM OR DRAIN TO DRAINAGE IS ALLOWED.
- GENERAL SITE NOTES:**
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BLOOMINGTON AND THE INDIANAPOLIS WATER WORKS DEPARTMENT.
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1 EXISTING SITE PLAN
 17-2207

2 ENLARGED SITE PLAN @ OPPOSITE SIDE OF STREET
 17-2207

THIS SITE PLAN HAS BEEN OBTAINED FROM THE MARSH COUNTY GIS SYSTEM. ALL APPLICABLE DATA (06/11) A LOCAL PUBLIC WORKS DEPT. CONSTRUCTION STANDARDS & SPECIFICATIONS SHALL BE USED AS REF. FOR THE SHEET'S ISSUES.

ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY DATA. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF BLOOMINGTON AND THE INDIANAPOLIS WATER WORKS DEPARTMENT.



NOTE: SPECIFICATIONS TO THIS DRAWING SHALL BE THE PROPER FIT & FUNCTION OF THE EQUIPMENT SUPPLIED BY THE MANUFACTURER OF THE EQUIPMENT. THE CONTRACTOR SHALL MAINTAIN THE EQUIPMENT IN THE SAME MANNER AS THE MANUFACTURER'S RECOMMENDATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY AND LOCAL AGENCIES, PERTAINING TO THE CONSTRUCTION OF THIS PROJECT.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ACCESSIBILITY GUIDELINES. ALL REQUIRED BACKFLOW PREVENTERS SHALL BE INSTALLED AND TESTED PRIOR TO THE COMMENCEMENT OF ANY WORK.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CITY AND LOCAL CODES, PERTAINING TO THE CONSTRUCTION OF THIS PROJECT.

THE INFORMATION CONTAINED IN THESE DRAWINGS IS FOR INFORMATION ONLY AND DOES NOT TAKE THE PLACE OF A CONTRACT. THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION AND DO NOT TAKE THE PLACE OF A CONTRACT. THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION AND DO NOT TAKE THE PLACE OF A CONTRACT. THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION AND DO NOT TAKE THE PLACE OF A CONTRACT.

CONTRACTOR: DR. CHRIS CUMMINGS

LOCALITY: 201 NORTH MORTON BLOOMINGTON, IL 47404

DATE: 11/23/2022

PROJECT #: 632-903-604

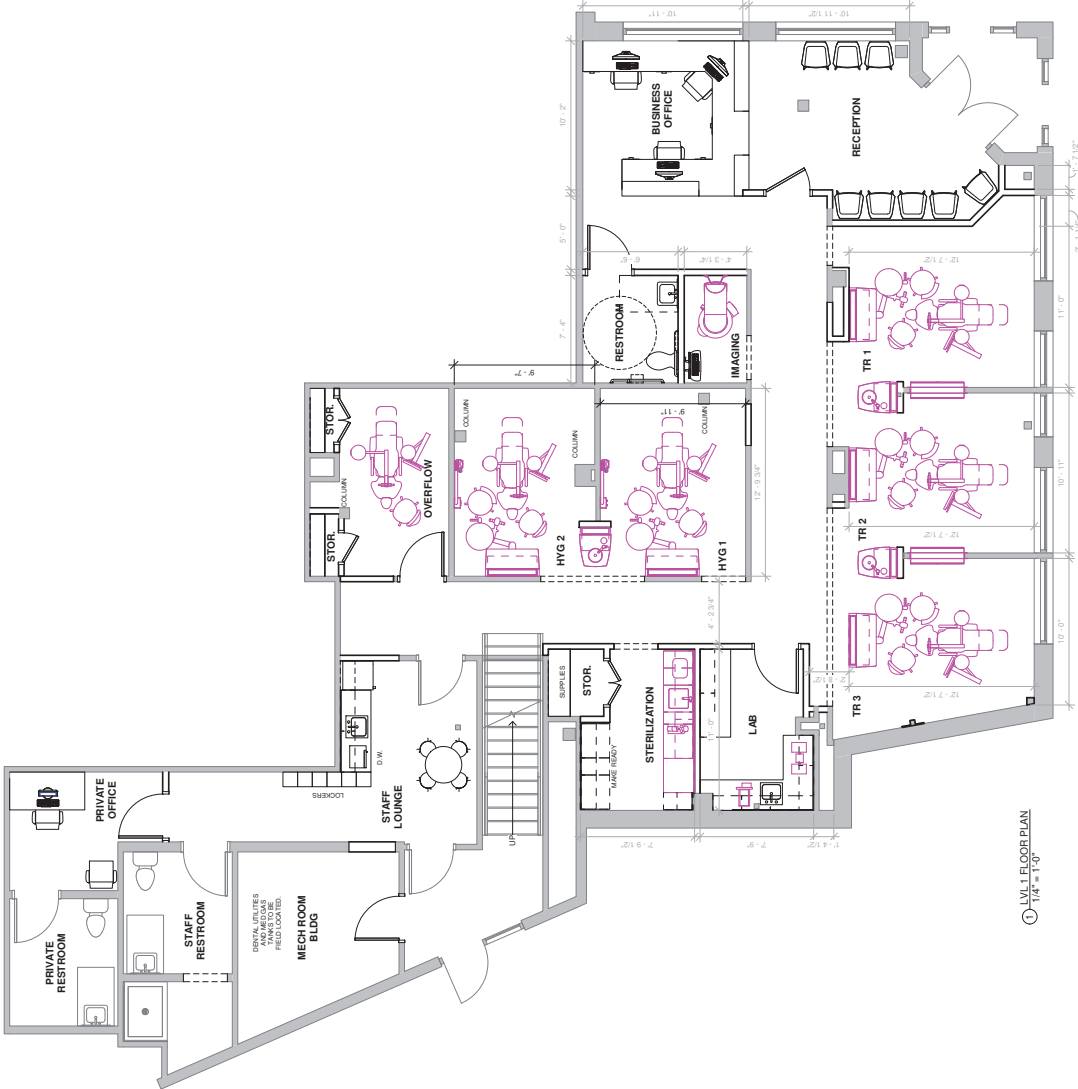
REVISIONS:

| REV # | SCOPE | DRAWN BY | DATE |
|-------|------------|----------|------------|
| 1 | Revision 1 | MJR | 11/23/2022 |

② LVL 1
3/8" = 1'-0"

ABBA
2215 SF

SHEET NO.
DA111



| PLAN LEGEND | |
|-------------|---|
| | DENTAL FURNITURE & EQUIPMENT |
| | DENTAL FURNITURE & EQUIPMENT EXISTING RELOCATED |
| | DENTAL FURNITURE & EQUIPMENT FUTURE |
| | NON-DENTAL MATERIALS NUMBERS ARE UNAVAILABLE |

| WALL LEGEND | |
|-------------|------------------------|
| | EXISTING WALL |
| | DEMOL WALL |
| | NEW WALL |
| | SOUND PROOFING IN WALL |
| | LEAD LINED WALL |

① LVL 1 FLOOR PLAN
1/4" = 1'-0"